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Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

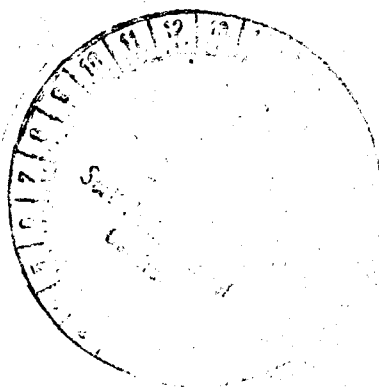
COM(78) 762 final.

Brussels, 16 January 1979.

Draft Council Resolution

on the application of unit pricing
to foodstuffs and non-food household products
prepackaged in predetermined quantities.

(submitted to the Council by the Commission)



COM(78) 762 final.

EXPLANATORY MEMORANDUM

1. On 26 May 1977, the Commission sent to the Council a proposal for a Directive on the display of foodstuff prices (1). The Economic and Social Committee and the European Parliament, consulted pursuant to Article 235 of the Treaty, gave their opinions on 27 October 1977 (2) and on 16 February 1978 (3). The proposal was drawn up in the light of the priorities laid down in the preliminary programme of the European Economic Community for a consumer protection and information policy (4). Its aim is to make it easier for consumers to compare prices at the place of sale and to stimulate competition in the consumer's interest. Article 10 of the proposal for a Directive lays down the conditions under which exemptions may be granted for foodstuffs prepackaged in accordance with the range of nominal quantities laid down at Community level.
2. In the light of the opinions given by the European Parliament and the Economic and Social Committee, the Commission took the view that a period of five years was sufficient for developments in respect of the standardization of prepackaging at national and Community level. On 29 May 1978, it accordingly sent to the Council, by virtue of the second paragraph of Article 149, the text of the amendments to the proposed Directive.
3. In response to concern expressed in several Member States, the Commission has set out in this draft Resolution the guidelines which should be followed in developing standardization at national and Community level, and the types of products prepackaged in predetermined quantities which will qualify for exemption from the obligation to display the price by unit measurement. This proposal also confirms the Council's undertaking to adopt within the period specified in Article 9 (2) of the proposal for a Directive the procedure for application of the obligation to display the price by unit of measurement of foodstuffs prepackaged in predetermined quantities.

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- (1) OJ No C 167 of 14 July 1977, page 4
 - (2) OJ No C 18 of 23 January 1978, page 15
 - (3) OJ No C 63 of 13 March 1978, page 48
 - (4) OJ No C 92 of 25 April 1975, page 9 (point 35).

4. The Commission also promised the European Parliament that non-food household products would be subject to the obligation to display prices per unit of measurement in the same way as foodstuffs. Since such products are generally prepackaged in predetermined quantities, it seemed opportune to make them subject to the obligation to display the price per unit of measurement in the same way as foodstuffs prepackaged in predetermined quantities.

The aim of this proposal is to induce the Council to adopt the provisions concerning the indication of the selling price and, if possible, the price by unit of measurement of non-food household products.

DRAFT

Council Resolution on the application of unit pricing to foodstuffs and non-food household products prepackaged in predetermined quantities.

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to the draft from the Commission ;

Whereas the preliminary programme of the European Economic Community on consumer protection and information provides for the drawing up of common principles regarding the display of price per unit of weight or volume ;

Whereas the Commission forwarded to the Council a proposal for a Directive on consumer protection in the marking and display of the prices of foodstuffs calling, in particular, for the display of prices by unit of measurement of foodstuffs (1) ;

Whereas the standardization of packaging is likely to facilitate on-the-spot comparisons by the consumer when it establishes simple and easily comparable quantity ranges ;

Whereas it is necessary to replace, whenever possible, the obligation to display the price per unit of measurement by the standardization of packaging ;

Whereas an effort to standardize packaging is now under way at Community and national level and it is necessary to take account of the progress which has been or is being made ;

(1) OJ No 0 167 of 14 July 1977, page 4.

Whereas the proposal for a Directive defers to a later date the adoption by the Council of the procedures for applying unit pricing to foodstuffs prepackaged in predetermined quantities;

Whereas non-food household products are not covered by the above proposal for a Directive and provisions concerning the display of the prices of these products, in particular unit pricing, should be adopted ;

Whereas the Council therefore undertake now to adopt, on a proposal from the Commission, within a period of five years, supplementary measures concerning the display of prices of foodstuffs and non-food household products prepackaged in predetermined quantities ;

UNDERTAKES to lay down within a period of five years, from the date on which the directive on consumer protection in the marking and display of the prices of foodstuffs is adopted, on a proposal from the Commission, the procedures for application of the obligation to display the price by unit of measurement of foodstuffs prepackaged in predetermined quantities ;

UNDERTAKES to adopt before that date, on a proposal from the Commission, measures concerning the indication of selling price and the price by unit of measurement of household products ;

CONSIDERS that the ranges of quantities which satisfy the following criteria will qualify for exemption from the price per unit of measurement :

- they are simple and involve only a small number of sizes,
- they involve only sizes sufficiently distinct from each other to permit easy comparison,
- they are uniform for the same, or very similar products,
- they involve as far as possible only sizes which are simple multiples or submultiples of a kilogramme or a litre,
- they correspond to ranges in quantity of the contents ;

NOTES that the Commission will forward to the Council in good time such proposals as are required to ensure that the development of standardization at national level does not cause new technical barriers to trade. The Commission will coordinate the efforts of standardization undertaken at the national level by setting up regular contacts between the appropriate administrations and specialized bodies.