Nominal quantities for prepacked products

2004/0248(COD) - 12/12/2005

The committee adopted the report by Jacques TOUBON (EPP-ED, FR) amending the proposal under the 1st reading of the codecision procedure:

- while welcoming the Commission's initiative to deregulate package sizes, the committee felt that the number of goods for which the Commission was proposing to retain mandatory package sizes as a derogation from the general policy of deregulation (spirits, wines, soluble coffee, white sugar and most products sold in aerosols) should be extended to include drinking milk, butter, ground or unground roasted coffee, dried pasta, rice and brown sugar. It argued that products such as these, as staples of the average consumer's diet, should only be sold in a restricted number of sizes - otherwise, consumers (especially the most disadvantaged ones) risk being misled into buying a cheaper package without realising that it contains a smaller volume. MEPs recommended, for example, that milk be sold only in 100, 200, 250, 500, 750, 1000 and 1500 millilitre containers;

- whereas the Commission had pushed for a 20-year limit on all such derogations, MEPs adopted a more flexible approach, introducing a clause that would oblige the Commission to review the legislation after 8 years and every 10 years thereafter. They said that this was a more appropriate solution, given that no-one today can possibly predict the market conditions in 2025;

- another amendment would allow national rules on nominal quantities to continue to apply for certain pre-packaged products, including bread. MEPs recognised the problems that deregulation can cause for the disabled and the elderly and therefore sought a solution which would ensure that national packaging ranges (which can differ widely from one country to another) for these particular products could be maintained while at the same time allowing the import of such products in pre-packaged form with different weights or volumes from other EU countries;

- MEPs also stipulated that the directive should not apply to products subject to mandatory package sizes if they are sold in duty-free shops for consumption outside the EU and hence used outside the internal market;

- lastly, the committee introduced an adjustment phase of 18 months enabling certain sizes that are currently allowed, but which will no longer be authorised under the mandatory package size rules, to continue to be sold so that stocks can be used up.