II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 21 July 1987

amending Directive 85/210/EEC on the approximation of the laws of the Member States concerning the lead content of petrol

(87/416/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 130 S thereof,

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

Having regard to the proposal from the European Parliament (2),

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

Whereas Directive 85/210/EEC (4), as amended by Directive 85/581/EEC (5), obliges Member States to take the necessary measures to ensure the availability and balanced distribution within their territories of unleaded petrol from 1 October 1989;

Whereas serious damage to public health and to the environment has been observed and attributed to lead; whereas, since leaded petrol is a major source of pollution, Member States should be allowed to prohibit the marketing of regular leaded petrol;

Whereas the Community is committed to reducing the use of leaded petrol and whereas this is to be considered as part of a sustained effort to limit further the exposure of the population to lead in the environment;

Whereas the co-existence on the market of too many different types of petrol inhibits increased use of unleaded petrol to the detriment of environmental improvement;

Whereas the withdrawal of regular leaded petrol from the market would entail the use of products which substitute for it;

Whereas vehicles currently running on regular leaded petrol are technically capable of running either on premium leaded petrol or on unleaded petrol;

Whereas it is to be expected that there will be a switch to the use of unleaded petrol where this does not entail excessive costs for the consumer;

Whereas the banning of regular leaded petrol from the market of a Member State should therefore lead to an improvement in the level of environmental and human health protection;

Whereas at least six months' notice should be given to the public before regular leaded petrol is banned from national markets,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Article 2 of Directive 85/210/EEC is hereby replaced by the following:

'Article 2

1. As from the entry into force of this Directive, and subject to paragraphs 2 and 4, Member States shall continue to ensure the availability and balanced distribution of leaded petrol within their territories.

(1) OJ No C 90, 4. 4. 1987, p. 3.
(2) OJ No C 190, 20. 7. 1987, p. 180.
(3) OJ No C 180, 8. 7. 1987, p. 16.
(4) OJ No L 96, 3. 4. 1985, p. 25.
(5) OJ No L 372, 31. 12. 1985, p. 37.