COUNCIL DIRECTIVE

of 19 June 1978

adapting to technical progress Directive 73/362/EEC on the approximation of the laws of the Member States relating to material measures of length

(78/629/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

Having regard to Council Directive 71/316/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to common provisions for both measuring instruments and methods of metrological control (1), as amended by the Act of Accession, and in particular Articles 17, 18 and 19 thereof,

Whereas, since the preparation and adoption of Council Directive 73/362/EEC of 19 November 1973 on the approximation of the laws of the Member States relating to material measures of length (2), new material measures of length have been developed; whereas the said Directive should therefore be amended to take account of technical progress;

Whereas on 19 January 1978 the Commission submitted a proposed amendment to the Committee on the adaptation to technical progress of the Directives concerning the elimination of technical barriers to trade in measuring instruments, for its opinion; whereas, no opinion having been delivered, the Commission, in accordance with the procedure laid down in Article 19 (3) (b) of Directive 71/316/EEC, proposed to the Council the measures to be adopted,

HAS ADOPTED THIS DIRECTIVE:

Article 1

In the Annex to Directive 73/362/EEC, points 3.6, 4.1, 5.1, 6.3, 7.1, 7.2, 7.3, 8, 9.1, 9.2, 9.4 and 9.5 are hereby amended in accordance with the Annex hereto.

Article 2

Member States shall adopt the laws, regulations and administrative provisions needed in order to comply with this Directive in such a manner that these provisions shall take effect one year after the date of notification of this Directive and shall forthwith inform the Commission thereof.

Member States shall communicate to the Commission the texts of the provisions of national law which they adopt in the field covered by this Directive.

Article 3

This Directive is addressed to the Member States.

Done at Luxembourg, 19 June 1978.

For the Council

The President

P. DALSAGER

(1) OJ No L 202, 6. 9. 1971, p. 1.
(2) OJ No L 335, 5. 12. 1973, p. 56.

ANNEX

3.6. Tape measures shall be made so that when the tape is stretched out on a flat surface its edges are practically straight and parallel.

4.1. Along their nominal length, measures of length shall carry clear, regular and indelible graduation and numbering, so as to enable a sure, simple and unambiguous reading to be made. However, some non-numbered scale marks, not exceeding the number of scale marks between two consecutive numbered scale marks on the measure, may extend beyond the principal scale mark at the end of the measure.

5.1. The nominal length of the measures shall be one of the following values: 0·5, 1, 1·5, 2, 3, 4, 5, 6, 7, 8, 9 m or a multiple of 5 m.

6.3. All these inscriptions shall be given visibly and legibly, starting at the beginning of the measure.

However, in agreement with the national authority concerned, certain inscriptions may appear on an integral part of the instrument. In this case, the EEC pattern approval certificate shall state where these inscriptions are to be placed.

Furthermore, where the width of the measure of length does not enable the EEC pattern approval sign to appear legibly, that sign may appear, notwithstanding the provisions of point 3.1 of Annex I to the Council Directive of 26 July 1971 on the approximation of the laws of the Member States relating to common provisions for both measuring instruments and methods of metrological control, and in accordance with point 3.5 of this Annex, in the form of the following signs, arranged in succession:

— the stylized letter ε,

— the distinguishing letter(s) of the Member State which has granted EEC pattern approval,

— the last two digits of the year of EEC pattern approval,

— the reference number of the EEC pattern approval, (e.g. ε F 75 5345).

7. MAXIMUM PERMISSIBLE ERRORS

7.1. The measures of length defined in this Directive shall be divided into three classes, designated I, II and III, according to their degree of accuracy.

On EEC initial verification of measures of length, the maximum permissible error, plus or minus:

(a) on the nominal length, and

(b) on the distance between any two non-consecutive scale marks,

shall be expressed as a function of the length in question by a formula in the form (a + bL) mm in which:

— L is the length in question, rounded up to the next whole metre above,

— a and b are coefficients fixed for each class of accuracy according to the following table:

Class of accuracy	a	b
I	0·1	0·1
II	0·3	0·2
III	0·6	0·4