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COUNCIL DIRECTIVE

of 27 July 1976

on the approximation of the laws of the Member States relating to alcoholometers and alcohol hydrometers

(76/765/EEC)

(OJ L 262, 27.9.1976, p. 143)

Amended by:

	Official Journal		
	No	page	date
►**M1** Commission Directive 82/624/EEC of 1 July 1982	L 252	8	27.8.1982

Corrected by:

►**C1** Corrigendum, OJ L 60, 5.3.1977, p. 26 (76/765/EEC)

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COUNCIL DIRECTIVE

of 27 July 1976

on the approximation of the laws of the Member States relating to alcoholometers and alcohol hydrometers

(76/765/EEC)

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 [1],

Having regard to the opinion of the Economic and Social Committee [2],

Whereas in the Member States the definition, design and procedures for the approval and testing of alcoholometers and alcohol hydrometers are the subject of mandatory provisions which differ from one Member State to another and consequently hinder the movement of and trade in these instruments within the Community; whereas it is therefore necessary to approximate these provisions;

Whereas harmonization of the laws, regulations and administrative provisions relating to these instruments is essential also as a complement to existing provisions relating to the method of determining alcoholic strength from the results of measurements taken, in order to remove all risk of ambiguity or dispute over the results of such measurements;

Whereas 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 [3] laid down the EEC pattern approval and EEC initial verification procedures; whereas in accordance with that Directive it is necessary to lay down the technical requirements which the design and functioning of alcoholometers and alcohol hydrometers must satisfy in order to be freely imported, marketed and used after having undergone the requisite inspections and having been provided with the required marks and signs;

Whereas, in its resolution of 17 December 1973 [4] on industrial policy, the Council invited the Commission to forward to it before 1 December 1974 a proposal for a Directive on alcoholometry and alcoholometers,

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive defines the charcteristics of alcoholometers and alcohol hydrometers used to determine the alcoholic strength of mixtures of water and ethanol.

Article 2

Those alcoholometers and alcohol hydrometers which may bear EEC marks and signs are described in the Annex.

Such instruments shall be subject to EEC pattern approval and shall be submitted for EEC initial verification.

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(1) OJ No C 76, 7. 4. 1975, p. 39.
(2) OJ No C 248, 29. 10 1975, p. 22.
(3) OJ No L 202, 6. 9. 1971, p. 1.
(4) OJ No C 117, 31. 12. 1973, p. 1.

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Article 3

No Member State may refuse, prohibit or restrict the placing on the market or the use of any alcoholometer or alcohol hydrometer bearing the EEC pattern approval sign or EEC verification mark on the grounds of their metrological properties.

Article 4

1. Member States shall adopt and publish within a period of 24 months from the date of notification of this Directive the measures necessary to conform with this Directive and shall forthwith inform the Commission thereof.

They shall apply these measures from 1 January 1980 at the latest.

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

Article 5

This Directive is addressed to the Member States.