II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 24 November 1975

on the approximation of the laws of the Member States relating to the sulphur content of certain liquid fuels

(75/716/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 the laws, regulations or administrative provisions in force in the Member States lay down limits with respect to the sulphur content of liquid fuels ; whereas these provisions differ from one Member State to another ;

Whereas the differences in these laws oblige Community oil companies to adjust the maximum sulphur content of these products, depending on which Member State is being supplied ; whereas the aforementioned differences thus constitute a barrier to trade in these products, thereby directly influencing the establishment and functioning of the common market ;

Whereas certain Member States have notified the Commission of projects to limit and progressively reduce the sulphur content of fuels so as to achieve a reduction in sulphur dioxide emissions ;

Whereas, in view of the considerable effect of the sulphur content of some liquid fuels on public health and the environment and with account being taken of the aforementioned projects, the sulphur content of gas oils must be progressively and significantly reduced at Community level ;

Whereas this Directive is a first step towards reducing the sulphur content of liquid fuels and applies to gas oils only ;

Whereas, to take account of the technical and economic consequences of reducing and limiting the sulphur content of gas oils and the local circumstances prevailing in the Member States, it will be necessary to define as from 1 October 1976 two types of gas oil, one for general use and the other for use restricted to zones which may be defined by the Member States ;

Whereas a simplified procedure should be set up for revising the sulphur content for the two types of gas oil laid down as from 1980 in order to take account of any appreciable developments over the next few years in environmental requirements or desulphurization technology, or of substantial changes in the economic situation in the Community as regards the supply of crude oil ; whereas, however, such revision could take place only before 1 October 1977 as the industry must know several years in advance the sulphur content which shall apply in order to draw up its programmes for desulphurization plant ;

(1) OJ No C 76, 3. 7. 1974, p. 46.
(2) OJ No C 16, 23. 1. 1975, p. 6.