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COUNCIL DIRECTIVE

of 23 January 1968

on the approximation of the laws of the Member States concerning the classification of wood in the rough

(68/89/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 Economic and Social Committee[2];

Whereas the establishment of the common market has caused an increase in intra-Community trade in wood in the rough, which already involves several million cubic metres a year;

Whereas a variety of systems are used in the different Member States for measuring and classifying wood in the rough and this lack of uniformity directly affects the functioning of the common market;

Whereas harmonisation of laws in that field, desired by the Brussels forestry conference of June 1969, should not only facilitate intra-Community trade but also enable statistics on production, marketing, consumption and prices of wood in the rough in the Community to be compiled which could be compared;

Whereas these objectives can be attained if Member States discontinue all mandatory classifying of wood in the rough coming from other Member States and if they make available by law to those concerned a system of measurement and classification which is the same throughout the Community;

Whereas wood in the rough must not be marketed within the Community as 'EEC classified' wood in the rough unless it corresponds to one of the classifications provided;

Whereas by not later than two years following the notification of the Directive there should no longer exist any barrier to intra-Community trade in wood in the rough for reasons of classification;

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive shall apply to wood in the rough marketed within the Community as 'EEC classified' wood in the rough.

Article 2

'Wood in the rough' means felled timber, topped and lopped, whether or not stripped of its bark, cross-cut or cleft.

Article 3

1. The Member States shall provide that wood in the rough may not be described as 'EEC classified' when it is placed on the market unless it has been classified and, where appropriate, marked as required in the Annex to this Directive.

2. The Member States shall provide that the classification listed in the Annex may be given only to wood in the rough which has been classified as required in the Annex.

3. The Member States shall take the measures necessary to comply with provisions adopted by them in pursuance of paragraphs 1 and 2.

Article 4

A Member State may make the use of the classifications provided for in this Directive

[1] OJ No 156, 15.7.1967, p. 59.
[2] OJ No 17, 28.1.1967, p. 282/67.

compulsory for the marketing of part or all of its own production of wood in the rough.

Article 5

The classification by dimensions or by quality provided for in this Directive shall not preclude the introduction of sub-classes for marketing wood in the rough. However, the introduction of sub-classes must not create barriers to intra-Community trade.

Article 6

The Member States shall repeal all provisions which require wood in the rough coming from another Member State to be classified.

Article 7

The Member States shall, within a period of two years following notification of this Directive, bring into force the laws, regulations and administrative provisions necessary to comply with this Directive and its Annex and shall forthwith inform the Commission thereof.

Article 8

This Directive is addressed to the Member States.

Done at Brussels, 23 January 1968.

For the Council

The President

M. COUVE de MURVILLE

ANNEX

1. MEASUREMENT

1.1 General

1.1.1 Measurement shall be either by volume (true or stacked cubic metres) or by weight.

1.1.2 Only the metric system shall be used for measuring.

1.1.3 Measuring instruments shall be officially inspected and maintained in good condition.

1.2 Wood in the full length

1.2.1 Wood in the rough whose volume is usually expressed in true cubic metres shall be called wood in the full length.

1.2.2 Wood in the full length shall usually be measured in individual units. Wood in the full length of irregular shape shall be measured by sections.

1.2.3 The volume of an individual unit shall be determined from the length and the diameter measured over or under bark. Volume shall be calculated to the nearest two decimal places at least, using customary cube tables.

1.2.4 Diameter measurements shall be rounded off to the centimetre below. Where diameter is measured over bark, a reasonable reduction shall be made. The reduction made shall be stated.

1.2.5 In the case of measurements up to and including 19 cm, the diameter under bark shall be measured in one operation using a forestry caliper on the felled trunk (horizontal diameter). In the case of measurements over 20 cm under bark, however, the diameter shall be determined by two intersecting measurements made perpendicularly one to the other (as far as possible, at the narrowest diameter and the widest diameter). If the place to be measured is situated on a whorl of branches or at another irregular part of the trunk, the diameter shall be obtained by taking the average of the measurements made on either side and at an equal distance from the place to be measured.

1.2.6 Length measurements shall be rounded off to the decimetre below. For wood in the full length with a middle diameter of 20 cm or less under bark, the length may be rounded off to the metre below. If there is a felling bevel, the length shall be measured from the middle of that bevel.