II

(Preparatory Acts)

COMMISSION

Proposal for a European Parliament and Council Directives amending Council Directives 76/116/EEC, 80/876/EEC, 89/284/EEC and 89/530/EEC on the approximation of the laws of the Member States relating to fertilizers

(97/C 19/06)

COM(96) 594 final — 96/0280(COD)

(Submitted by the Commission on 21 November 1996)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 100a thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the Economic and Social Committee,

Acting in accordance with the procedure under Article 189b of the Treaty,

Whereas, under Article G of the Treaty on European Union, the term 'European Economic Community' has been replaced by the term 'European Community'; whereas the initials 'EEC' should therefore be replaced by the initials 'EC';

Whereas the term 'EEC fertilizer' is contained in certain provisions of Council Directive 76/116/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to fertilizers [1], Council Directive 80/876/EEC of 15 July 1980 on the approximation of the laws of the Member States relating to straight ammonium nitrate fertilizers of high nitrogen content [2], Council Directive 89/284/EEC of 13 April 1989 supplementing and amending Directive 76/116/EEC in respect of the calcium, magnesium, sodium and sulphur content of fertilizers [3] and Council Directive 89/530/EEC of 18 September 1989 supplementing and amending Directive 76/116/EEC in respect of the trace elements boron, cobalt, copper, iron, manganese, molybdenum and zinc contained in fertilizers; whereas, in consequence, the term 'EEC fertilizer' should be replaced in these provisions by the term 'EC fertilizer';

Whereas, however, manufacturers normally keep in stock large quantities of packagings, labels and accompanying documents, thereby exposing themselves to the risk of incurring additional expenditure in the event of such a change being implemented with immediate effect; whereas, therefore, a period should be fixed during which packagings, labels and accompanying documents marked 'EEC fertilizer' can continue to be used,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

1. Directive 76/116/EEC is amended as follows:

   (a) in Article 1, the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

   (b) in Article 2, the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

   (c) in Article 7, the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

   (d) in Article 8 (1), the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

   (e) in Annex II, point 1 (a), the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

2. Directive 80/876/EEC is amended as follows:

   (a) in Article 2, the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

   (b) in Article 4, the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

   (c) in Article 6, the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

[1] OJ No L 24, 30. 1. 1976, p. 21. Directive last supplemented and amended by Directive 89/530/EEC (OJ No L 281, 30. 9. 1989, p. 116).

[2] OJ No L 250, 23. 9. 1980, p. 7.

[3] OJ No L 111, 22. 4. 1989, p. 34.

(d) in Article 7 (1), the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

(e) in Article 7 (3), the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

3. Directive 89/284/EEC is amended as follows:

(a) in Article 1, the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

(b) in Article 2, the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

(c) in Article 4, the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

(d) in Article 6 (a), the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

(e) in Article 9 (1) and (2), the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

4. Directive 89/530/EEC is amended as follows:

(a) in Article 1 (1), the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

(b) in Article 1 (2), the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

(c) in Article 2, the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

(d) in Article 3 (1), the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

(e) in Article 3 (1) (b), the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

(f) in Article 4 (a), the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

(g) in Article 6, the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

(h) in the Annex, Chapters C and D, the term 'EEC fertilizer' shall be replaced by the term 'EC fertilizer'.

Article 2

The stocks of packagings, labels and accompanying documents marked 'EEC fertilizer' can continue to be used until 31 December 1998.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 July 1998 at the latest and shall forthwith inform the Commission thereof.

When Member States adopt these provisions, the latter shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. The methods for making such reference shall be laid down by the Member States.

2. Member States shall forthwith communicate to the Commission the text of all provisions of domestic law which they adopt in the field governed by this Directive. The Commission shall inform the other Member States accordingly.

Article 4

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities.*

Article 5

This Directive is addressed to the Member States.