

**MERCHANDISE MARKS (PREPACKED GOODS) (MARKING AND QUANTITIES)  
(AMENDMENT) ORDER 1990**

I, DESMOND O'MALLEY, Minister for Industry and Commerce, after consultation with such persons as appear to me to be substantially interested in the general subject matter of the Order following and after compliance with subsection (10) of section 2 of the Merchandise Marks Act, 1970 (No. 10 of 1970), hereby, in exercise of the powers conferred on me by the said section 2, order as follows:

REG 1

1. This Order may be cited as the Merchandise Marks (Prepacked Goods) (Marking and Quantities) (Amendment) Order, 1990.

REG 2

2. This Order shall come into operation on the 14th day of November, 1990.

REG 3

3. The Merchandise Marks (Prepacked Goods) (Marking and Quantities) (Amendment) Order, 1985 (S.I. No. 295 of 1985), is hereby amended by the substitution for paragraph (a) of Article 4 of the following paragraph:

"( a ) the following were substituted for the matter in column (2) of that Schedule:

100 millilitres

187 millilitres(value relating only to consumption on board aircraft, ships, trains and to sales in duty-free shops)

250 millilitres

375 millilitres

500 millilitres

750 millilitres

1 litre

1.5 litres

2 litres

3 litres

4 litres

5 litres

6 litres

8 litres

9 litres

10 litres, and"

REG 4

4. The Merchandise Marks (Prepacked Goods) (Marking and Quantities) Order, 1973 (S.I. No. 28 of 1973), as amended by the Merchandise Marks (Prepacked Goods) (Marking and Quantities) (Amendment) Order, 1985 (S.I. No. 295 of 1985), shall not apply to prepackages containing wine of fresh grapes; fresh grape must with fermentation

arrested by the addition of alcohol including wine made of unfermented grape juice blended with alcohol, except for wines included in subheadings 22.05A and B of the Common Customs Tariff of the European Economic Community and liqueur wines (subheading ex 22.05C of the said Common Customs Tariff); grape must, in fermentation or with fermentation arrested otherwise than by the addition of alcohol (heading No. 22.04 of the said Common Customs Tariff), which are vatted, bottled and labelled in volumes not exceeding 0.25 litre and are intended for professional use.

REG 5

5. The Merchandise Marks (Prepacked Goods) (Marking and Quantities) (Amendment) Order, 1989 (S.I. No. 284 of 1989), is hereby amended by the substitution for Article 6 of the following Article:

"6. The Merchandise Marks (Prepacked Goods) (Marking and Quantities) Order, 1973, shall not apply to—

(i) sparkling wines (subheading 22.05 A of the Common Customs Tariff of the European Economic Community) and wine in bottles with "mushroom" stoppers held in place by ties or fastenings, and wine otherwise put up with an excess pressure of not less than one bar but less than three bar, measured at a temperature of 20°C (subheading 22.05 B of the said Common Customs Tariff), and  
(ii) spirits (other than those of heading No. 22.08 of the said Common Customs Tariff); liqueurs and other spirituous beverages; compound alcoholic preparations (known as "concentrated extracts") for the manufacture of beverages (heading No. 22.09 of the said Common Customs Tariff),  
which are intended either for the provisioning of aeroplanes, ships, trains or for sale in duty-free shops."

GIVEN under my Official Seal, this 14th day of November, 1990.

DESMOND O'MALLEY,  
Minister for Industry and Commerce.

EXPLANATORY NOTE.

This Order amends the Merchandise Marks (Prepacked Goods) (Marking and Quantities) Order, 1973 (as amended) so as to amend the prescribed sizes in which prepacked wine may be sold with effect from 14th November, 1990. In so doing it implements the provisions of Directive 75/106/EEC(1) as amended by Directives 79/1005/EEC(2), 85/10/EEC(3), 88/316/EEC(4) and 89/676/EEC(5) on the approximation of the laws of Member States relating to prepackaged liquids insofar as wine is concerned.

- (1)O.J. No. L42, 15.2.75, p.1.
- (2)O.J. No. L308, 4.12.79, p.25
- (3)O.J. No. L4, 5.1.85, p.20
- (4)O.J. No. L143, 10.6.88, p.26
- (5)O.J. No. L398, 30.12.89, p.18