

BottD: Measuring Container Bottles Directive (Council Directive 75/107/EEC), explained

The Measuring Container Bottles Directive lets manufacturers make bottles of 0.05 to 5 litres as measuring container bottles, built to its tolerances and marked with the capacity, the manufacturer's mark and the reversed-epsilon sign, which every Member State must accept. It dates from 20 December 1974, was transposed by 20 June 1976 and has never been amended.

Reviewed 24 September 2026 by Conphora compliance team · Next review 11 March 2027 · Not legal advice

Key facts

Reference	Council Directive 75/107/EEC	Act type	Directive
In force	20 December 1974	Applies from	20 June 1976
Enforced by	The competent departments of the Member States check measuring container bottles by statistical sampling at the place of manufacture or, where that is not practicable, on the premises of the importer or his agent established in the Community, and may carry out further checks in the course of trade; since 16 July 2021 the directive is listed in Annex I of Regulation (EU) 2019/1020, so the national market surveillance authorities also hold the powers of that regulation, and because it is listed in Annex II as an act without penalty provisions, the Member States set the penalties under Article 41.	CELEX	31975L0107

Key dates

19 December 1974	Council Directive 75/107/EEC adopted in Brussels; published in OJ L 42 of 15 February 1975	title and signature block after Art. 5
20 December 1974	Notification to the Member States and entry into force	document information, dates
20 June 1976	Deadline for the Member States to put into force the laws, regulations and administrative provisions needed to comply, 18 months after notification	Art. 4(1); transposition date
1 October 1981	Directive 71/354/EEC on units of measurement, cited in Annex I point 8.1.1 for the unit symbols, repealed by Directive 80/181/EEC, which now governs the units marked on the bottle	Art. 6
11 April 2009	Directive 2007/45/EC on nominal quantities for prepacked products applies: it repeals Directives 75/106/EEC and 80/232/EEC and amends Directive 76/211/EEC, while Directive 75/107/EEC is not among the acts it repeals	Art. 6, Art. 7 and Art. 10
18 May 2009	Directive 2009/34/EC in force: it recasts and repeals Directive 71/316/EEC, so the reference in Annex I point 5 to the sign in Article 6 of that directive is read as Article 6 of Directive 2009/34/EC and its Annex I point 3.3	Art. 6, Art. 20, Art. 21, Annex I point 3.3 and Annex IV
1 July 2018	Danish executive order 590 of 29 May 2018 on bottles as measuring containers enters into force, replacing the technical directive of 1 April 1977; identification marks approved by 30 June 2018 keep their validity	§ 6
1 July 2019	The Danish executive order applies to manufacturers that were already producing measuring container bottles	§ 6, stk. 2
1 July 2021	Legal metrology in Denmark comes under the product act (lov om produkter og markedsovervågning), which lists the directive on bottles as measuring containers among the acts it covers	§ 2, nr. 16
16 July 2021	Regulation (EU) 2019/1020 applies: Directive 75/107/EEC is point 3 of its Annex I (Union harmonisation legislation) and point 3 of Annex II (acts without provisions on penalties), so the Member States lay down the penalties under Article 41	Art. 41, Art. 44, Annex I point 3 and Annex II point 3

1 January 2026	Sikkerhedsstyrelsen becomes the department Markedsovervågning of Erhvervsstyrelsen and continues the same tasks, including the control of measuring container bottles (the source states 'from January 2026'; 1 January is used as the reference date)
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Obligations by role

Bottle manufacturer

- Design and manufacture the bottles with metrological characteristics, design characteristics and uniformity of manufacture, that let their contents be measured with sufficient accuracy when they are filled to a specified level or to a specified percentage of their brim capacity; for all bottles of the same design the distance between the theoretical filling level and the brim and the volume of expansion must be perceptibly constant. Art. 1, point 3 and Annex I point 2
- Keep the actual capacity at 20 degrees Celsius within the maximum permissible errors, positive or negative, of Annex I: 3 ml for 50 to 100 ml, 3 percent for 100 to 200 ml, 6 ml for 200 to 300 ml, 2 percent for 300 to 500 ml, 10 ml for 500 to 1 000 ml and 1 percent for 1 000 to 5 000 ml; the same error applies to the brim capacity, and the systematic exploitation of tolerances is prohibited.

Annex I point 3

- Check the actual capacity by determining the quantity of water at 20 degrees Celsius that the bottle contains when filled to the level theoretically corresponding to the nominal capacity, or indirectly by a method of equivalent accuracy. Annex I point 4
- Submit an identification mark for the approval of the competent department before using it; in Denmark the mark is submitted to Sikkerhedsstyrelsen, which informs the competent departments of the other Member States and the Commission within one month of its approval. Annex I point 5; § 3 and bilag 1, pkt. 5
- Affix the reversed-epsilon EEC sign, at least 3 mm high, on your own responsibility and only on bottles that meet the requirements of the directive and its annexes; the date, origin and reference number that form part of the EC pattern approval sign are not required, and the sign bears no other indication.

Art. 2 and Annex I point 5; Art. 6 and Annex I point 3.3

- Mark on the side, the bottom rim or the bottom, indelibly, easily legibly and visibly, the nominal capacity in litres, centilitres or millilitres in figures at least 6 mm high above 100 cl, 4 mm from 100 cl down to but not including 20 cl and 3 mm at 20 cl or less, followed by the unit symbol or name, together with the approved identification mark and the EEC sign. Annex I point 8.1
- Mark on the bottom or the bottom rim, in figures of the same minimum height and so as not to be confused with the nominal capacity, the brim capacity in centilitres without the symbol cl and/or the distance in millimetres from the brim to the filling level of the nominal capacity followed by the symbol mm, according to the filling method the bottle is intended for; other indications may appear if they cause no confusion with the compulsory ones. Annex I point 8.2
- Accept the statistical sampling check of the competent department at the place of manufacture, on batches corresponding in principle to an hour's production, with samples of 35 or 40 bottles measured by weighing them empty and filled with water at 20 degrees Celsius; where production is subject to a check recognised by the competent department, keep the manufacturer's check-cards, on which a second test may be based. Annex I point 6 and Annex II points 1 and 2

Importer or agent established in the Community

- Make your premises, or those of your agent established in the Community, available for the statistical sampling check of measuring container bottles where a check at the place of manufacture is not practicable, and expect further checks by the competent departments in the course of trade.

Annex I points 6 and 7

- Place on the market as measuring container bottles only bottles that meet the requirements of the directive, since only such bottles may carry the EEC sign; in Denmark bottles that carry the sign from another Member State may be marketed and used without further approval from Sikkerhedsstyrelsen.

Art. 2 and Art. 3; § 5

- On request, provide the market surveillance authority with documents, technical specifications, data or information on the compliance of the bottles and with information on the supply chain, the quantities on the market and other models with the same technical characteristics, as an economic operator under Regulation (EU) 2019/1020. Art. 14(4), points (a) and (b), and Annex I point 3
- Take the corrective action the market surveillance authority requires within the period it sets where the bottles do not conform to the directive, which may include bringing them into compliance or preventing their being made available on the market. Art. 16(1), (2) and (3)

Packer or filler

- Fill the bottle under the conditions of use for which it is intended, either to a constant level or to a constant vacuity, using the brim capacity or the filling-height distance marked on the bottom, so that the nominal capacity is reached. Annex I points 1.1, 2 and 8.2
- Where you rely on measuring container bottles to meet the measuring and checking requirements of Directive 76/211/EEC, use bottles of the type defined in Directive 75/107/EEC and fill them under the conditions prescribed in that directive and in Directive 76/211/EEC. Annex I point 4
- Remain responsible, as packer or importer, for the prepackage meeting Directive 76/211/EEC: measure or check the actual contents by weight or volume with a legal measuring instrument or by sampling, or organise production checks recognised by the competent departments and keep the documents with their results at the departments' disposal. Annex I point 4
- Mark the prepackage with the nominal quantity in the prescribed figure heights, a mark identifying the packer or importer and, where the prepackage complies with the directive, the small e sign at least 3 mm high in the same field of vision as the nominal quantity. Art. 3 and Annex I points 3.1 to 3.3

Penalties

The directive itself contains no penalty article; the competent departments check measuring container bottles by statistical sampling at the place of manufacture or on the importer's premises, may carry out further checks in the course of trade, and a batch that fails the Annex II acceptance criteria is not declared to comply with the directive, so its bottles may not carry the EEC sign. Since 16 July 2021 Directive 75/107/EEC is listed in Annex I of Regulation (EU) 2019/1020, whose market surveillance authorities can demand documents and supply-chain information, require corrective action within a set period, prevent bottles from being made available, or have them withdrawn, recalled or destroyed; because the directive is also listed in Annex II as an act without provisions on penalties, the Member States lay down the penalties, which must be effective, proportionate and dissuasive. In Denmark, executive order 590 of 29 May 2018 on bottles as measuring containers, which is issued under the act on business promotion and regional development and itself contains no penalty clause, gives Sikkerhedsstyrelsen the approval of the manufacturer's identification mark and the control of the bottles. Since 1 July 2021 legal metrology falls under the product act (lov om produkter og markedsovervågning, consolidated as lovbekendtgørelse 22 of 8 January 2026), which supplements Regulation (EU) 2019/1020 and lists the directive on bottles as measuring containers in section 2(1) no. 16. Under that act the control authority – Erhvervsstyrelsen since the consolidation of 8 January 2026, Sikkerhedsstyrelsen having become part of Erhvervsstyrelsen in January 2026, while the 2018 order still names Sikkerhedsstyrelsen – can issue orders and prohibitions (section 14), and infringements are punished with a fine, rising to imprisonment of up to two years in aggravating circumstances such as danger to safety or health, an accident with serious injury or death, repeat infringement or systematic infringement for financial gain, with liability for companies (section 37(1), (2) and (5); bottles fall within section 2(1) no. 16 and so within the product areas covered by section 37(2)). In practice section 37 reaches failures to give the control authority information or access, disregard of its decisions, evasion of its control and the economic-operator duties of Articles 4 and 5 of Regulation (EU) 2019/1020, rather than the metrological requirements of the directive as such.

Art. 2, Annex I points 6 and 7 and Annex II point 3; Art. 14, Art. 16, Art. 41, Annex I point 3 and Annex II point 3; indledning, § 3 and

Checklist

- 1. Confirm the bottle is within Article 1: glass or an equally rigid and stable material, stoppered or designed to be stoppered, for storing, transporting or delivering liquids, with a nominal capacity from 0.05 to 5 litres, and that you intend it to be used as a measuring container.
- 2. Decide whether to make the bottle a measuring container bottle at all; the directive is optional, but only bottles that meet it may carry the reversed-epsilon EEC sign (Article 2).
- 3. Submit the manufacturer's identification mark for approval to the competent department, in Denmark Sikkerhedsstyrelsen, before marking bottles (Annex I point 5; executive order 590 section 3).
- 4. Design each bottle type with a perceptibly constant filling level and expansion volume and keep the actual capacity within the Annex I point 3 tolerances, without systematically exploiting them.
- 5. Set up the capacity check with water at 20 degrees Celsius or an equivalent method, and organise production so that samples of 35 or 40 bottles per hour's production pass the Annex II acceptance criteria; keep check-cards where your production control is recognised (Annex I points 4 and 6, Annex II).
- 6. Mark the nominal capacity in figures of 3, 4 or 6 mm depending on the capacity, with the unit symbol, plus the identification mark and the EEC sign at least 3 mm high (Annex I points 5 and 8.1).
- 7. Mark the brim capacity in centilitres without the symbol cl and/or the distance in millimetres from brim to filling level with the symbol mm, on the bottom or bottom rim, so it cannot be confused with the nominal capacity (Annex I point 8.2).
- 8. As a packer, fill the bottles to the constant level or constant vacuity they are designed for and keep the prepackage checks and e-mark documentation required by Directive 76/211/EEC (Annex I point 2; Directive 76/211/EEC Annex I point 4).
- 9. Be ready for market surveillance under Regulation (EU) 2019/1020: documents, supply-chain information and corrective action on request, with Danish enforcement under the product act (Articles 14 and 16; lovbekendtgørelse 22 of 2026).

Sources

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14. Bekendtgørelse af lov om produkter og markedsovervågning, LBK nr. 22 af 8. januar 2026 (Retsinformation) — <https://www.retsinformation.dk/eli/lta/2026/22>
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