

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(77) 238 final.

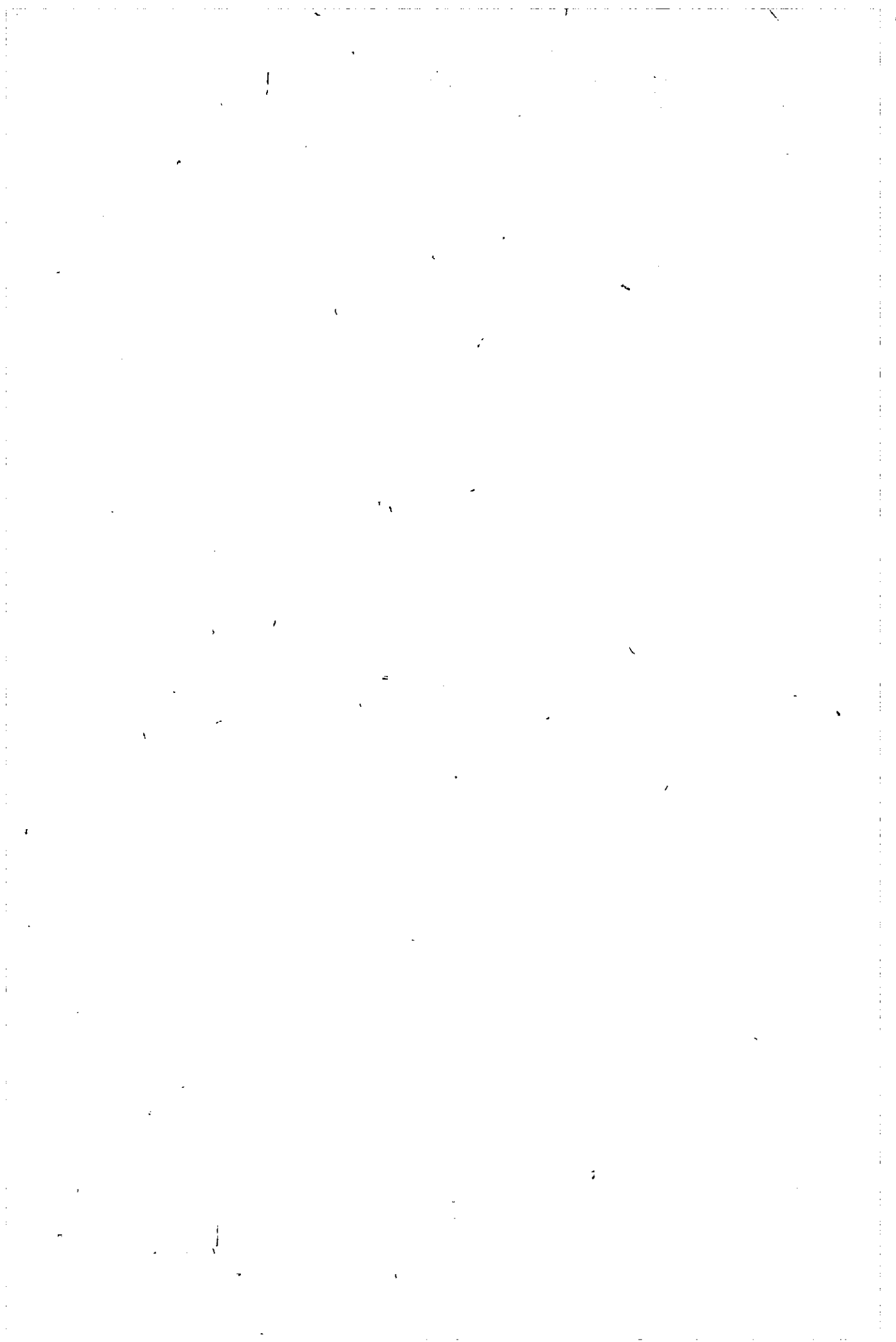
Brussels, 8 June 1977

Amended  
Proposal for a  
COUNCIL REGULATION (EEC)  
concerning the certification of hops

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(submitted to the Council by the Commission pursuant to  
the second paragraph of Article 149 of the EEC Treaty)

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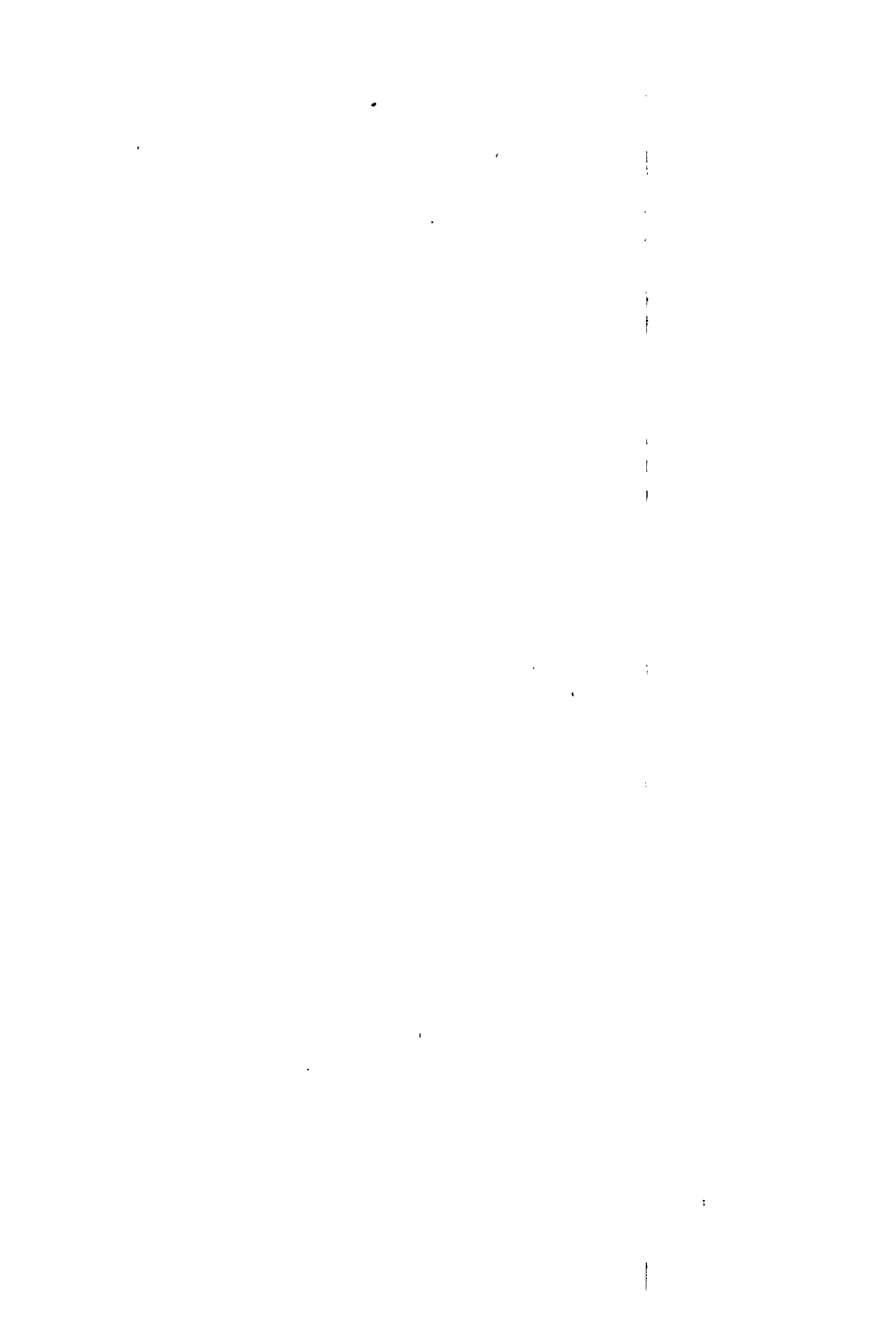
EXPLANATORY MEMORANDUM

This draft regulation of the Council concerning the certification of hops, amends, as laid down by Article 149 of the Treaty, the draft regulation of the Council concerning the certification of origin for hops, presented by the Commission to the Council on the 25th February 1971 (OJ N° C 31 dated the 20th April 1971).

It has been prepared in parallel with the draft modification of the base regulation for hops which was the subject of a Council decision on the 26th April 1977.

This draft regulation defines the general rules concerning the certification of products set out in Article 1 of the base regulation for hops, which are harvested in the Community or prepared from products harvested in the Community or imported from third countries. These general rules involve particularly :

- the exclusion of certain products,
- the role of Member-States,
- the necessary supervision involved in the certification procedure,
- the minimum limits for marketing,
- common rules concerning packaging, sealing and marking,
- regulations governing the equivalence of products imported from third countries.



Proposal for a Council Regulation (EEC)  
concerning the certification of hops

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1696/71 of 26 July 1971 on the common organization of the market in hops<sup>1</sup>, as last amended by Regulation (EEC) No <sup>2</sup>, and in particular Article 2(4) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 1696/71 provides for the certification of the products referred to in Article 1, harvested in the Community or prepared from products harvested in the Community; whereas the general rules relating to this certification should be laid down;

Whereas certain brewers produce their own hops; whereas these hops and, in view of their special nature, isomerised extracts should be excluded from the certification procedure;

Whereas Member States should be allowed to certify products meeting the conditions laid down in this Regulation through authorized bodies specially designated for that purpose;

Whereas, to ensure compliance with the certification procedure, provision should be made for inspections in accordance with appropriate rules;

Whereas, under Article 2(2) of the abovementioned Regulation, certificates can be issued only for products meeting minimum quality standards; whereas provision should be made to ensure that the minimum marketing limits are observed from the initial marketing stage onwards;

Whereas in order to ensure the identity of the products certified, Community rules concerning packaging, sealing and marking should be laid down; whereas the packaging should bear the necessary particulars for official inspection purposes and for the information of the buyers;

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<sup>1</sup> OJ No L 175, 4.8.1971, p.1

<sup>2</sup> OJ No L

Whereas the Member States concerned should be allowed to define the zones or regions to be considered as hop production areas;

Whereas the certification principle implies strict rules governing mixtures; whereas, therefore, mixtures of hop cones should only be authorized if they consist of certified products coming from the same varieties, harvest and production area; whereas, to ensure compliance with this provision, it should also be laid down that these mixtures must be effected under supervision and subject to the same certification procedure as their constituents;

Whereas, in view of the users' requirements, it should be possible, in the manufacture of powder and extracts, to mix certified hopes which do not come from the same varieties or places of production; whereas therefore the same inspection and certification requirements should be laid down as in the case of the mixtures of hop cones referred to above,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation shall apply to the products referred to in Article 1 of Regulation (EEC) No 1696/71, harvested in the Community or prepared from such products\*, with the exception of:
  - (a) hops harvested on land owned by a brewer and utilized by him in the natural or processed state;
  - (b) isomerised hop extracts.
2. The certification procedure shall include the issue of certificates and the marking and sealing of the bales.
3. It shall be carried out before the initial marketing and, in the case of hop cones, at the latest by 31 March of the year following the year of harvesting, under official surveillance in establishments designated by the Member States as "certification markets" or "approved certification warehouses".
4. If, after certification, the packaging of one of the products specified in paragraph 1 is changed, with or without further processing, the product shall be subject to a new certification procedure.
5. Member States shall designate the official bodies authorized to issue certificates and the bodies responsible for supervising the application of the certification system.

Article 2

1. The minimum marketing requirements for the products referred to in Article 1 shall apply at the stage when the certificate is issued.
2. The factors to which these requirements may relate, in particular the moisture content and the foreign bodies content, shall be determined for each product in accordance with the procedure laid down in Article 20 of Regulation (EEC) No 1606/71.

Article 3

Proof of the certification procedure shall be provided by the particulars inscribed on each bale and by the certificate which accompanies the product.

Article 4

1. The packaging of each bale of the products referred to in Article 1(1) shall bear at least the following particulars in one of the Community languages:
  - description of the product together with, in the case of hops, the words "prepared hops" or "unprepared hops", as the case may be;
  - the variety or varieties;

\* harvested in the Community or imported from third countries in conformity with Article 5 of Regulation (EEC) No 1696/71.

- the reference number of the certificate.

The particulars shall be indelibly printed on the package in characters of a uniform size.

#### Article 5

The certificate shall include at least the following particulars:

1. In the case of hops,
  - (a) description of the product
  - (b) reference number of the certificate
  - (c) gross weight
  - (d) hop production area
  - (e) year of harvesting
  - (f) variety;
2. In the case of extracts of hops and hop powder,  
in addition to the particulars listed in paragraph 1, the place and date of processing.

#### Article 6

1. Hop production area shall mean the zones or regions of production in the list prepared by the Member States concerned.
2. The Commission shall ensure that the list of hop production areas is published in the Official Journal of the European Communities.

#### Article 7

Hop powder and extracts, other than those referred to in Article 1(1)(a), may be prepared only from certified hops in the Community or imported from third countries in accordance with Article 5 of Regulation (EEC) No 1696/71.

#### Article 8

1. While they are in circulation, the products referred to in Article 1(1) may be mixed only under supervision and in the certification markets or warehouses approved by the Member States.
2. To be eligible for mixing, hops must come from the same production area, the same harvest and the same variety.
3. However, when manufacturing powder and extracts, certified hops of Community origin but of different varieties and from different production areas may be mixed, provided that the certificate accompanying the product states:
  - (a) the varieties used, their production areas and the year of harvesting;
  - (b) the percentage weight of each variety used in the mixture;
  - (c) the reference number of the certificates issued for the original hops.



Article 9

Member States shall communicate to the Commission, who shall inform the other Member States thereof, the name and address of the bodies officially designated pursuant to Article 1(5) and the measures taken to implement this Regulation.

Article 10

This Regulation shall enter into force on the third day following its publication in the Official Journal of the European Communities. It shall apply with effect from (1 August 1977).

However, any marketing without certificates of hop powder and extracts of hop manufactured before (1 August 1977) shall be authorized until (1 February 1978).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at

For the Council

