

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(94) 507 final
Brussels, 22.11.1994

Proposal for a

COUNCIL REGULATION (EC)

amending Regulation (EEC) N° 1907/90
on certain marketing standards for eggs

(presented by the Commission)

EXPLANATORY MEMORANDUM

The regular review on the application of common egg standards has shown a need for certain amendments.

Two of the modifications proposed aim at providing more flexibility to egg packers regarding utilisation of reusable open containers and indications in the case of EXTRA eggs.

The other two amendments concern the adaptation of the definition of "batch" to the recent modification on the obligatory indication of the date of minimum durability and an exemption for egg sales from producers to retailers in the Nordic regions of Finland and Norway.

Since the principal aim of common marketing standards for eggs is to facilitate intra-Community trade, these standards should apply uniformly in all Member States. This is the case for three of the four items proposed, whereas the fourth point takes into account the particular conditions for egg marketing in northern Finland and Norway.

of

amending Regulation (EEC) N° 1907/90
on certain marketing standards for eggs

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) N° 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾ and in particular Article 2(2) thereof,

Having regard to the proposal from the Commission,

Where Regulation (EEC) N° 1907/90⁽²⁾ lays down certain marketing standards for eggs;

Where the definition of the batch should be brought in line with the recent modification concerning the obligatory indication of the date of minimum durability;

Where Regulation (EEC) N° 1907/90 excludes direct sales of eggs from producers to consumers from its scope of application; in order to take account of the specific conditions of egg marketing in the Nordic regions in Finland and Norway, sales from producers to retail outlets in those regions should also be excluded from its scope of application;

Where the provisions on the use of bands or labels on large packs should be amended in order not to prevent the utilisation of reusable open containers for the transport of loose eggs;

(1) L 282, 1.11.1975, p. 49. Regulation as last amended by Regulation (EC) N° 1574/93 (OJ L 152, 24.6.1993, p. 1).

(2) L 173, 6.7.1990, p. 5. Regulation as amended by Regulation (EEC) N° 7/93 (OJ L 240, 25.9.1993, p. 1).

Whereas the length of the period during which grade A eggs may be sold as "extra" should be defined in relation to either the packing or laying date,

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) N° 1907/90 is hereby amended as follows :

1) In Article 1 point 10, the term "packing or grading date" shall be replaced by the term "date of minimum durability".

2) Article 2(3) shall be replaced by the following :

"3. This Regulation shall not apply to

- eggs sold directly to the consumer for his own use by the producer on his own farm, in a local public market with the exception of auction markets, or by door-to-door selling,
- eggs, excluding broken and cracked eggs, sold to the retailer by the producer in the specific regions of Norway and Finland referred to in Article 142 of the Act of Accession,

provided that the eggs come from the producers own production and are not packed in accordance with Articles 10, 11 and 12 and that use is not made of any of the quality and weight gradings laid down in this Regulation."

3) In Article 11(1), the first sentence shall be replaced by the following :

"1. Large packs shall be provided with a band or label, bearing the particulars referred to in Article 10, which shall not be re-used and which shall be issued by or under the supervision of the official agencies referred to in Article 18."

4) Article 12 shall be replaced by the following :

"Article 12

The word 'extra' may be used on small packs containing class A eggs provided with a band or label. It shall be printed on the band or label, which shall be removed and destroyed not later than the seventh day after packing or the ninth day after laying."

Article 2

This Regulation shall enter into force on 1 January 1995.

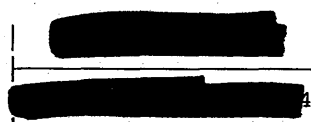
This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council,
The President

(4)

FINANCIAL STATEMENT



1. BUDGET HEADING : Chap. 24

APPROPRIATIONS : 133 Mio ECU

2. TITLE :

Draft Council Regulation amending R. 1907/90 on certain marketing standards for eggs.

3. LEGAL BASIS : Council Regulation 2771/75

4. AIMS OF THE PROJECT :

- Provide more flexibility to egg packers regarding utilisation of reusable open containers and indications in the case of EXTRA eggs.
- Adaptation of the definition of "batch" to the recent modification on the obligatory indication of the date of minimum durability and an exemption for certain Nordic Regions

5. FINANCIAL IMPLICATIONS	PERIOD OF 12 MONTHS (Mio ECU)	CURRENT FINANCIAL YEAR (1995)	FOLLOWING FINANCIAL YEAR (1996)	
5.0 EXPENDITURE				
- CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS)	p.m.	p.m.	p.m.	
- NATIONAL ADMINISTRATION				
- OTHERS				
5.1 RECEIPTS				
- OWN RESSOURCES OF THE EC (LEVELS/CUSTOMS DUTIES)	p.m.	p.m.	p.m.	
- NATIONAL				
	1997	1998	1999	2000
5.0.1 ESTIMATED EXPENDITURE	p.m.	p.m.	p.m.	p.m.
5.1.1 ESTIMATED RECEIPTS				

5.2 METHOD OF CALCULATION :

6.0 CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET

YES/NO

6.1 CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET

YES/NO

6.2 IS A SUPPLEMENTARY BUDGET NECESSARY ?

YES/NO

6.3 WILL FUTURE BUDGET APPROPRIATIONS BE NECESSARY ?

YES/NO

OBSERVATIONS :

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