30.6.72 Official Journal of the European Communities No L 148/5

REGULATION (EEC) No 1348/72 OF THE COUNCIL

of 27 June 1972

amending Regulation (EEC) No 1619/68 on marketing standards for eggs

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 122/67/EEC[1] of 13 June 1967 on the common organization of the market in eggs, as last amended by Regulation (EEC) No 1261/71,[2] and in particular Article 2 (2) thereof;

Having regard to the proposal from the Commission;

Whereas Council Regulation (EEC) No 1619/68[3] of 15 October 1968 on marketing standards for eggs, as amended by Regulation (EEC) No 730/69,[4] fixed Community standards for the marketing of hen eggs in shell;

Whereas the application of the standards appears to cause difficulties in certain cases for producers, packing centres and traders, which can be eliminated or mitigated by amending the provisions concerned without calling into question the aims of the Regulation;

Whereas in international trade it is current practice to mark eggs in red; whereas therefore the use of red instead of black for marking eggs in the Community could promote trade with third countries;

Whereas packings of eggs must bear the date or a week number showing the date of packing and whereas the week number can be used as from the Friday of the previous week; whereas one working day is generally not sufficient to prepare enough packings bearing the new week number for Monday of the following week; whereas, packing centres were authorized to use the number of the following week as from Thursday they could pack a sufficient number of eggs in time for the first days of the following week;

Whereas in addition Article 17 (2) of Regulation (EEC) No 1619/68 has been difficult to apply and should therefore be amended;

Whereas Article 18 of Regulation (EEC) No 1619/68 authorizes the use of a trade mark on packs, but whereas certain trade marks include information concerning the packed eggs which is incompatible with the aims of the standards intended to ensure uniform competitive conditions; whereas therefore the conditions for using these trade marks should be specified;

Whereas the number of eggs should be indicated on packings of eggs coming from third countries; whereas if this were done it would no longer be necessary to require the weight to be indicated on packs;

Whereas the proposed provisions involve changes for the undertakings concerned; whereas therefore an appropriate transitional period must be provided in each case;

HAS ADOPTED THIS REGULATION:

Article 1

In Article 14 (2) of Regulation (EEC) No 1619/68 the word 'red' shall be substituted for the word 'black'.

Article 2

The following shall be substituted for Article 17 (2) and (3) of Regulation (EEC) No 1619/68:

'2. The number referred to in paragraph 1 (e) shall indicate the complete week beginning on Monday but it may be used from midnight on Wednesday of the previous week. Every year the

[1] OJ No 117, 19.6.1967, p. 2293/67.
[2] OJ No L 132, 18.6.1971, p. 1.
[3] OJ No L 258, 21.10.1968, p. 1.
[4] OJ No L 96, 23.4.1969, p. 1.

numbering shall be continuous from 1 to 52 or 53. The week which includes 1 January shall bear the number 1.

3. An indication of the packing date or of the number of the week shall be placed on packs containing eggs in Grade A at the latest on the working day following the day on which the eggs are received in the packing centre.'

Article 3

The following shall be substituted for Article 18 paragraph 1 (a) of Regulation (EEC) No 1619/68:

'(a) The name, business name and address of the undertaking which has packed the eggs or had them packed; the trade mark used by that undertaking may be shown if it contains no wording relating to the quality or freshness of the eggs which is incompatible with this Regulation.'

Article 4

The following shall be substituted for Article 23 (c) of Regulation (EEC) No 1619/68:

'(c) they are put up in packings, including packs contained in packages, bearing clearly and legibly the following information:

(aa) the country of origin printed in Roman type at least 20 mm high for packages and at least 5 mm high for packs,

(bb) the name of the packers in the third country,

(cc) the quality and weight grading,

(dd) for packages, the weight in kilogrammes of the packed eggs and, for packages and packs, their number,

(ee) the date of packing,

(ff) the sender's name and address in the case of packages.'

Article 5

1. Eggs bearing black distinguishing marks shall be considered until 30 June 1972 to comply with Article 14 of Regulation (EEC) No 1619/68.

2. Packs containing eggs from third countries and bearing an indication of the weight of the packed eggs shall until 30 September 1972 to comply with Article 23 of Regulation (EEC) No 1619/68.

3. Packs bearing a trade mark authorized before the entry into force of this Regulation shall until 30 November 1972 be deemed to comply with Article 18 (1) (a) of Regulation (EEC) No 1619/68.

Article 6

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

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

Done at Luxembourg, 27 June 1972.

For the Council

The President

G. THORN