COMMISSION REGULATION (EEC) No 1646/78

of 13 July 1978

laying down detailed rules on the checking of minimum marketing requirements for hops imported from third countries

THE COMMISSION 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 (1), as last amended by Regulation (EEC) No 1170/77 (2), and in particular Article 5 (3) thereof,

Whereas Article 5 (1) thereof provides that the products referred to in Article 1 thereof may be imported into the Community, with effect from 1 August 1978, only if they meet the minimum marketing requirements for like products harvested within the Community or their derivatives; whereas, under paragraph 2 of the said Article, products imported from non-member countries accompanied by an attestation issued by the authorities of the country of origin and recognized as equivalent to the certificate are considered to meet the requirements referred to;

Whereas the minimum marketing requirements for hops were adopted by Commission Regulation (EEC) No 890/78 of 28 April 1978 laying down detailed rules for the certification of hops (3);

Whereas it is necessary to lay down detailed rules on the checking of these requirements for hops imported from third countries without an attestation recognized as equivalent;

Whereas the Management Committee for Hops has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. The entry into free circulation in the Community of hop cones falling within heading No ex 12.06 of the Common Customs Tariff, imported from third countries, without the attestation referred to in Article 5 (2) of Regulation (EEC) No 1696/71, shall be subject to a check by the competent authorities of the Member States. This check shall relate to the observance of the minimum marketing requirements set out in the Annex to Regulation (EEC) No 890/78 in accordance with the methods referred to in Article 3 (2) and (3) of the said Regulation.

2. Member States shall forward to the Commission the name and address of the authorities referred to in paragraph 1 together with the model of the attestation and impressions of the official stamps and, where appropriate, the embossing presses of the authorities empowered to act.

Article 2

1. After this check, the authorities referred to in Article 1 shall issue an attestation in three copies, of which the first copy shall accompany the product while it is in circulation in its original state in the Community, the second copy shall be given to the customs office at which the product enters into free circulation and the third copy shall be kept by the competent authority.

2. The attestation shall contain:

(a) one of the following endorsements:

'Hops imported from third countries, presenting the characteristics set out in the Annex to Commission Regulation (EEC) No 890/78 of 28 April 1978';

'Humle, der er indført fra tredjelande, og som frembyder de egenskaber, der er nævnt i bilaget til Kommissionens forordning (EØF) nr. 890/78 af 28. april 1978';

'Aus Drittländern eingeführter Hopfen mit den im Anhang zur Verordnung (EWG) Nr. 890/78 der Kommission vom 28. April 1978 aufgeführten Merkmalen';

'Houblon importé de pays tiers et présentant les caractéristiques visées à l'annexe du règlement (CEE) n° 890/78 de la Commission du 28 avril 1978';

'Luppolo importato da paesi terzi che presenta le caratteristiche previste nell'allegato del regolamento (CEE) n. 890/78 della Commissione del 28 aprile 1978';

'Uit derde landen ingevoerde hop die de kenmerken heeft als bedoeld in de bijlage van Verordening (EEG) nr. 890/78 van de Commissie van 28 april 1978',

(1) OJ No L 175, 4. 8. 1971, p. 1.
(2) OJ No L 137, 3. 6. 1977, p. 7.
(3) OJ No L 117, 29. 4. 1978, p. 43.

(b) the number, type and identification marks and numbers of the packages;

(c) the gross weight and/or the net weight;

(d) the name, address, seal and signature of the issuing authority and the date of issue of the attestation.

Article 3

This Regulation shall enter into force on 1 August 1978.

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

Done at Brussels, 13 July 1978.

For the Commission

Finn GUNDELACH

Vice-President