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**COUNCIL REGULATION (EEC) No 1784/77
of 19 July 1977
concerning the certification of hops**

(OJ L 200, 8.8.1977, p. 1)

Amended by:

	Official Journal		
	No	page	date
► <u>M1</u> Council Regulation (EEC) No 2225/79 of 9 October 1979	L 257	1	12.10.1979
► <u>M2</u> Council Regulation (EEC) No 2039/85 of 23 July 1985	L 193	1	25.7.1985
► <u>M3</u> Council Regulation (EEC) No 1605/91 of 10 June 1991	L 149	14	14.6.1991
► <u>M4</u> Council Regulation (EEC) No 1987/93 of 19 July 1993	L 182	1	24.7.1993
► <u>M5</u> Council Regulation (EC) No 1323/96 of 26 June 1996	L 171	1	10.7.1996

Amended by:

► <u>A1</u> Act of Accession of Austria, Sweden and Finland	C 241	21	29.8.1994
(adapted by Council Decision 95/1/EC, Euratom, ECSC)	L 1	1	1.1.1995
► <u>A2</u> Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded	L 236	33	23.9.2003

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COUNCIL REGULATION (EEC) No 1784/77
of 19 July 1977
concerning the certification of hops

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 ⁽¹⁾, as last amended by Regulation (EEC) No 1170/77 ⁽²⁾, 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 or prepared in the Community; whereas the general rules thereof relating to this certification should be laid down;

Whereas, in view of their special nature and their use, certain products 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 or departments specially designated for that purpose;

Whereas, to ensure compliance with the certification procedure, provision should be made for inspection 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 requirements are observed from the initial marketing stage onwards;

Whereas in order to ensure that certified products can be identified, rules should be laid down to the effect that the packaging should bear the necessary particulars for official inspection purposes and for the information of buyers;

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 blends; whereas, therefore, blends of hop cones should be authorized only if they consist of certified products of the same variety coming from the same harvest and the same production area; whereas, to ensure compliance with this provision, it should also be specified that blending must be done under supervision and that blends must be subject to the same certification procedure as their constituents;

Whereas, in view of users' requirements, it should be permissible to blend certified hops which are not of the same variety and do not come from the same production area in the manufacture of powder and extracts; whereas, therefore, the inspection and certification requirements should be the same as for the blends of hop cones referred to above,

⁽¹⁾ OJ No L 175, 4. 8. 1971, p. 1.

⁽²⁾ OJ No L 137, 3. 6. 1977, p. 7.

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HAS ADOPTED THIS REGULATION:

*Article 1***▼M4**

1. This Regulation shall apply to products referred to in Article 1 of Regulation (EEC) No 1696/71 when harvested in the Community or when prepared from such products which have either been harvested in the Community or imported from third countries in accordance with Article 5 of the said Regulation, with the exception of:

- (a) hops harvested on land owned by a brewery and used by that brewery in the natural or processed state;
- (b) isomerized hop extract;
- (c) isomerized hop powder;
- (d) a list of isomerized products to be drawn up in accordance with the procedure referred to in Article 19 of Regulation (EEC) No 1696/71;
- (e) products derived from hops and processed under contract on behalf of a brewery, provided that those products are used by the brewery itself;
- (f) hops and products derived from hops put in small packets for sale to private individuals for their own use.

The products referred to in (a) to (f) shall be subject to a control procedure to be determined.

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2. The certification procedure shall include the issue of certificates and the marking and sealing of the packages.

3. Certification shall be carried out under official surveillance by the Member States at the first marketing stage, that is to say before the product is offered for sale, and, in any event, before processing. In the case of hop cones, it shall take place not later than 31 March of the year following the year of harvesting. However, where disposal problems arise for a given harvest, the above deadline may be extended beyond 31 March to 31 July of the same year at the latest, in accordance with the procedure laid down in Article 20 of Regulation (EEC) No 1696/71.

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Without prejudice to the time limits set out above, for hops grown in the territory of the former German Democratic Republic, prepared and processed on the farms producing hops referred to in the Annex to this Regulation and until ►**M5** 31 December 1996 ◀, certification may be carried out after processing of the hops into granules but before any other processing, provided that compliance with the minimum marketing requirements referred to in the Annex to Commission Regulation (EEC) No 890/78 can be guaranteed. Certification of hop granules processed on the abovementioned farms shall be carried out in the certification centres in the territory of the former German Democratic Republic.

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4. Certification procedures shall take place at the farm or in establishments approved by the Member States and known as 'certification centres' or 'certification warehouses'.

5. 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.

6. Member States shall designate the official bodies or departments authorized to carry out certification and those responsible for ensuring compliance with the certification system.

▼B*Article 2*

1. The stage of marketing referred to in Article 2 (2) of Regulation (EEC) No 1696/71 for which the minimum marketing requirements shall be valid shall be the stage at which the certificate is issued.
2. The factors to which the requirements referred to in paragraph 1 shall relate, 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 1696/71.

Article 3

The particulars appearing on each package and the certificate which accompanies the product shall constitute proof of certification.

Article 4

Each package shall bear at least the following particulars in one of the Community languages:

- (a) the description of the product including, in the case of hops, with or without seeds, the words 'prepared hops' or 'unprepared hops', as the case may be;
- (b) the variety or varieties;
- (c) an indication identifying the reference number of the certificate.

These particulars shall appear in legible, indelible characters of uniform size.

Article 5

The certificate shall include at least the following particulars:

1. in the case of hops:
 - (a) the description of the product;
 - (b) the reference number of the certificate;

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

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- (d) the hop production area;
- (e) the year of harvesting;
- (f) the variety.
2. in the case of products prepared from hops:

in addition to the particulars listed in paragraph 1, the place and date of processing.

▼M2*Article 5a*

In the case of hops from experimental strains in the course of development and produced by a research institute on its own premises or by a producer on behalf of such an institute, particulars of the variety or varieties referred to in Article 4 (b) and Article 5 (1) (f) may be replaced by a name or number identifying the strain in question.

▼B*Article 6*

1. Hop production areas 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*.

▼B*Article 7*

With the exception of the case provided for in Article 1 (1) (a), only ►M3 hops certified in the Community, certified hop products prepared therefrom ◀ and hops imported from third countries in accordance with Article 5 of Regulation (EEC) No 1696/71 may be used in the manufacture of products prepared from hops.

Article 8

1. While they are in circulation, the products covered by this Regulation may be blended only under supervision in certification centres or certification warehouses.

2. Hops for blending must come from the same production area and the same harvest and be of the same variety.

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3. However, certified hops of Community origin and certified hop products prepared therefrom which are from the same harvest but of different varieties and from different production areas may be blended in the manufacture of powder and extracts provided that the certificate accompanying the product states:

- (a) the varieties used, the production areas and the year of harvesting;
- (b) the percentage weight of each variety used in the blend; if hop products have been used in combination with cone hops for the manufacturing of hop products, or if different hop products have been used, the percentage weight of each variety based on the quantity of cone hops which was used for the preparation of the input products;
- (c) the reference numbers of the certificates issued for the hops and the hop products used.

▼B*Article 9*

Within three months following the entry into force of this Regulation Member States shall communicate to the Commission, who shall inform the Member States thereof, the names and addresses of the bodies or departments designated pursuant to Article 1 (6) and the measures taken to implement this Regulation. ►A1 Austria shall communicate that information within 3 months from its accession. ◀ ►A2 The Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia shall communicate that information within four months from the date of accession. ◀

Article 10

This Regulation shall enter into force on 1 August 1978.

However, hop powder and hop extracts manufactured before 1 August 1978 may be marketed without certificates until 31 March 1979. The latter date may be deferred in accordance with the procedure laid down in Article 20 of Regulation (EEC) No 1696/71.

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

▼M5*ANNEX***Farms on which certification may be carried out after processing into granules:**

LAND OF SAXONY-ANHALT:	Eichenbarleben (formerly Irrleben) Osterweddingen Blumenberg (formerly Langenweddingen)
LAND OF THURINGIA:	Kutzleben (formerly Bad Tennstedt) Heringen Kindelbrück Vogelsberg (formerly Großbrennbach) Großenehrich Hohenebra.