

Commission Regulation (EC) No 617/2008 of 27 June 2008 laying down detailed rules for implementing Regulation (EC) No 1234/2007 as regards marketing standards for eggs for hatching and farmyard poultry chicks

Article 1

Definitions

For the purposes of this Regulation:

1. 'eggs for hatching' means poultry eggs falling within subheadings 0407 00 11 and 0407 00 19 of the Combined Nomenclature intended for the production of chicks, classified according to species, category and type and identified in accordance with this Regulation, produced in the Community or imported from third countries;
2. 'chicks' means live farmyard poultry the weight of which does not exceed 185 grammes, either produced in the Community or imported from third countries and falling within subheadings 0105 11 and 0105 19 of the Combined Nomenclature, of the following categories:
 - (a) utility chicks: chicks of one of the following types:
 - (i) table type chicks: chicks intended to be fattened and slaughtered before reaching sexual maturity;
 - (ii) laying chicks: chicks intended to be raised with a view to the production of eggs for consumption;
 - (iii) dual-purpose chicks: chicks intended either for laying or for the table;
 - (b) parent stock chicks: chicks intended for the production of utility chicks;
 - (c) grandparent stock chicks: chicks intended for the production of parent stock chicks;
3. 'establishment' means the establishment or part of an establishment for each of the following sectors of activity:
 - (a) pedigree breeding establishment: an establishment for the production of eggs for hatching intended for the production of grandparent stock, parent stock or utility chicks;
 - (b) breeding establishment: an establishment for the production of eggs for hatching intended for the production of utility chicks;
 - (c) hatchery: an establishment for incubating eggs, hatching and supplying chicks;
4. 'capacity' means the maximum number of eggs for hatching which may be placed simultaneously in incubators excluding hatchers.

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EC) No 617/2008. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Article 2

Registration of establishments

1 Every establishment shall be registered, at its request, by the competent agency appointed by the Member State and shall receive a distinguishing number.

The distinguishing number may be withdrawn from establishments which do not comply with the provisions of this Regulation.

2 All applications for registration of one of the establishments referred to in paragraph 1 shall be addressed to the competent authority of the Member State in whose territory the establishment is located. This authority shall allocate to the establishment being registered a distinguishing number comprising one of the codes listed in Annex I, together with an identifying number so allocated that it is possible to determine the activity in which the establishment is engaged.

F13

Textual Amendments

F1 Deleted by [Commission Regulation \(EU\) No 557/2010 of 24 June 2010 amending Regulations \(EC\) No 1518/2003, \(EC\) No 596/2004, \(EC\) No 633/2004, \(EC\) No 1345/2005, \(EC\) No 2014/2005, \(EC\) No 239/2007, \(EC\) No 1299/2007, \(EC\) No 543/2008, \(EC\) No 589/2008, \(EC\) No 617/2008 and \(EC\) No 826/2008 as regards the notification obligations within the common organisation of agricultural markets.](#)

Article 3

Marking of eggs for hatching and their packaging

1 Eggs for hatching, used for chick production, shall be marked individually.

2 The individual marking of eggs for hatching, used for chick production, shall be carried out at the producer establishment, which shall print its distinguishing number on the eggs. The letters and figures shall be indicated in indelible black ink at least 2 mm high and 1 mm wide.

3 Member States may authorise, by derogation, the marking of eggs for hatching in a different manner from that presented in paragraph 2, provided that it is in black, indelible, clearly visible, and at least 10 mm² in area. Such marking shall be carried out prior to insertion into the incubator, either at a producer establishment, or at a hatchery. Member States exercising this power shall inform the other Member States and the Commission thereof and shall communicate to them the provisions made to that end.

4 Eggs for hatching shall be transported in perfectly clean packs, containing only eggs for hatching of the same species, category and type of poultry, originating in one establishment, and bearing one of the markings listed in Annex II.

5 In order to comply with the provision in force in certain importer third countries, eggs for hatching intended for export and their packaging may bear particulars other than those provided for in this Regulation, provided that they are not likely to be confused with the

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latter and with those provided for in Article 121(d) of Regulation (EC) No 1234/2007 and its implementing Regulations.

6 Packs or containers of any type in which these eggs are transported shall bear the distinguishing number of the producer establishment.

7 Only eggs for hatching marked in accordance with this Article may be transported or traded between Member States.

8 Eggs for hatching from third countries may be imported only if they bear, in type at least 3 mm high, the name of the country of origin and the printed words ‘à couver’, ‘[^{F2}valenje],’broedei’, ‘rugeaeg’, ‘Bruteier’, ‘προς εκκόλαψιν’, ‘para incubar’, ‘hatching’, ‘cova’, ‘para incubação’, ‘haudottavaksi’, ‘för kläckning’, ‘líhnuti’, ‘haue’, ‘inkubācija’, ‘perinimas’, ‘keltetésre’, ‘tífqis’, ‘do wylęgu’, ‘valjenje’, ‘liahnutie’, ‘за люпене’, ‘incubare’. Their packaging must contain only eggs for hatching of the same species, category and type of poultry from the same country of origin and sender, and must bear at least the following particulars:

- a the information shown on the eggs;
- b the species of poultry from which the eggs come;
- c the sender's name or business name and address.

Textual Amendments

- F2** Inserted by [Commission Regulation \(EU\) No 519/2013 of 21 February 2013 adapting certain regulations and decisions in the fields of free movement of goods, freedom of movement for persons, right of establishment and freedom to provide services, company law, competition policy, agriculture, food safety, veterinary and phytosanitary policy, fisheries, transport policy, energy, taxation, statistics, social policy and employment, environment, customs union, external relations, and foreign, security and defence policy, by reason of the accession of Croatia.](#)

Article 4

Marking of packs containing chicks

1 The chicks shall be packed by species, type and category of poultry.

2 The boxes shall contain only chicks from the same hatchery and shall show at least the distinguishing number of the hatchery.

3 Chicks originating in third countries may be imported only if they are grouped in accordance with paragraph 1. The boxes must contain only chicks from the same country of origin and sender and shall bear at least the following particulars:

- a the name of the country of origin;
- b the species of poultry to which the chicks belong;
- c the sender's name or business name and address.

The markings to be made on packaging shall be made in indelible black ink, in letters or figures at least 20 mm high and 10 mm wide, drawn 1 mm thick.

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Article 5

Accompanying documents

1 An accompanying document shall be drawn up in respect of each batch of eggs for hatching or chicks dispatched and shall bear at least the following particulars:

- a the name or business name and address of the establishment and its distinguishing number;
- b the number of eggs for hatching or chicks according to species, category and type of poultry;
- c the date of dispatch;
- d the name and address of the consignee.

2 As regards batches of eggs for hatching and of chicks imported from third countries, the distinguishing number of the establishment must be replaced by the name of the country of origin.

Article 6

Records

Each hatchery shall record, by species, category (parent, grandparent or utility stock) and type (table use, laying or dual purpose):

- (a) the date on which the eggs were placed in incubation, the number of incubated eggs and the distinguishing number of the establishment in which the eggs for hatching were produced;
- (b) the date of hatching and the number of hatched chicks intended for actual use;
- (c) the number of incubated eggs removed from the incubator and the identity of the buyer.

Article 7

Use of eggs removed from the incubator

Incubated eggs removed from the incubator shall be used for purposes other than human consumption. They may be used as industrial eggs within the meaning of the second paragraph, point (h) of Article 1 of Regulation (EC) No 589/2008⁽¹⁾.

Article 8

Communications

1 Each hatchery shall communicate monthly to the competent agency of the Member State, by species, category and type, the number of eggs for hatching placed in incubation and the number of chicks hatched intended for actual use.

2 Statistical data on flocks of grandparent stock and parent stock birds shall be requested as required from establishments other than those referred to in paragraph 1, according to the

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rules and conditions adopted in accordance with the procedure laid down in Article 195(2) of Regulation (EC) No 1234/2007.

3 The Member States shall, as soon as the data referred to in paragraphs 1 and 2 is received and analysed, communicate to the Commission a monthly summary based on the data for the previous month.

In addition, the summary submitted by the Member States shall show the number of chicks imported and exported during the same month, according to species, category and type of poultry.

4 The standard form for the summary referred to in paragraph 3 is contained in Annex III. This summary shall be forwarded by Member States to the Commission each calendar month not later than four weeks after the end of the month to which the figures refer.

5 Member States may use the standard form for the summary (Part I) contained in Annex III to collect from the hatcheries the information referred to in paragraphs 1 and 2.

6 Member States may specify that in respect of chicks several copies of the accompanying document referred to in Article 5 shall be drawn up. In this case, one copy of the document shall be sent to the competent agency referred to in Article 9 on importation or exportation or at the time of intra-Community trade.

7 Member States who use the procedure referred to in paragraph 6 shall inform the other Member States and the Commission thereof.

[^{F3}Article 9

Inspection agencies

Agencies appointed by each Member State shall check that the provisions of this Regulation are observed.]

Textual Amendments

- F3** Substituted by [Commission Regulation \(EU\) No 557/2010 of 24 June 2010 amending Regulations \(EC\) No 1518/2003, \(EC\) No 596/2004, \(EC\) No 633/2004, \(EC\) No 1345/2005, \(EC\) No 2014/2005, \(EC\) No 239/2007, \(EC\) No 1299/2007, \(EC\) No 543/2008, \(EC\) No 589/2008, \(EC\) No 617/2008 and \(EC\) No 826/2008 as regards the notification obligations within the common organisation of agricultural markets.](#)

Article 10

Penalties

Member States shall take all necessary measures to impose penalties for any infringement of the Regulations on the production and marketing of eggs for hatching and of farmyard poultry chicks.

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Article 11

Reporting

Before 30 January each year Member States shall send to the Commission statistics on the structure and activity of hatcheries, using the standard form contained in Annex IV.

^{F4}Article 11a

Implementation of the notification obligation

The notifications to the Commission referred to in Article 3(3) and Article 8(7) of this Regulation shall be made in accordance with Commission Regulation (EC) No 792/2009⁽²⁾.]

Textual Amendments

- F4** Inserted by [Commission Regulation \(EU\) No 557/2010 of 24 June 2010 amending Regulations \(EC\) No 1518/2003, \(EC\) No 596/2004, \(EC\) No 633/2004, \(EC\) No 1345/2005, \(EC\) No 2014/2005, \(EC\) No 239/2007, \(EC\) No 1299/2007, \(EC\) No 543/2008, \(EC\) No 589/2008, \(EC\) No 617/2008 and \(EC\) No 826/2008 as regards the notification obligations within the common organisation of agricultural markets.](#)

Article 12

Repeal

Regulation (EEC) No 1868/77 is hereby repealed with effect from 1 July 2008.

References to the repealed Regulation and to Regulation (EEC) No 2782/75 shall be construed as references to this Regulation and should be read in accordance with the correlation table in Annex V.

Article 13

Entry into force

This Regulation shall enter into force on the seventh day following that of its publication in the *Official Journal of the European Union*.

It shall apply with effect from 1 July 2008.

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

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EC) No 617/2008. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (1) OJ L 163, 24.6.2008, p. 6.
- (2) [^{F4}OJ L 228, 1.9.2009, p. 3.]

Textual Amendments

- F4** Inserted by Commission Regulation (EU) No 557/2010 of 24 June 2010 amending Regulations (EC) No 1518/2003, (EC) No 596/2004, (EC) No 633/2004, (EC) No 1345/2005, (EC) No 2014/2005, (EC) No 239/2007, (EC) No 1299/2007, (EC) No 543/2008, (EC) No 589/2008, (EC) No 617/2008 and (EC) No 826/2008 as regards the notification obligations within the common organisation of agricultural markets.

Changes to legislation:

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Changes and effects yet to be applied to :

- Annex 1 omitted by [S.I. 2019/1422 reg. 5\(10\)](#)
- Annex 2 omitted by [S.I. 2019/1422 reg. 5\(10\)](#)
- Annex 4 heading word omitted by [S.I. 2019/1422 reg. 5\(12\)\(a\)](#)
- Annex 4 words omitted by [S.I. 2019/1422 reg. 5\(12\)\(b\)](#)
- Art. 2(1) word substituted by [S.I. 2019/1422 reg. 5\(3\)\(a\)\(i\)](#)
- Art. 2(1) words substituted by [S.I. 2019/1422 reg. 5\(3\)\(a\)\(ii\)](#)
- Art. 2(2) words omitted by [S.I. 2019/1422 reg. 5\(3\)\(b\)\(i\)](#)
- Art. 2(2) words substituted by [S.I. 2019/1422 reg. 5\(3\)\(b\)\(ii\)](#)
- Art. 2(2) words substituted by [S.I. 2019/1422 reg. 5\(3\)\(b\)\(iii\)](#)
- Art. 3(3) words omitted by [S.I. 2019/1422 reg. 5\(4\)\(a\)\(ii\)](#)
- Art. 3(3) words substituted by [S.I. 2019/1422 reg. 5\(4\)\(a\)\(i\)](#)
- Art. 3(4) words substituted by [S.I. 2019/1422 reg. 5\(4\)\(b\)](#)
- Art. 3(5) word omitted by [S.I. 2022/1150 reg. 6](#)
- Art. 3(5) word omitted by [S.I. 2022/1215 reg. 3](#)
- Art. 3(5) words substituted by [S.S.I. 2022/361 reg. 4](#)
- Art. 3(5) words substituted by [S.I. 2019/1422 reg. 5\(4\)\(c\)](#)
- Art. 3(7) omitted by [S.I. 2019/1422 reg. 5\(4\)\(d\)](#)
- Art. 3(8) words substituted by [S.I. 2019/1422 reg. 5\(4\)\(e\)](#)
- Art. 8(1) word substituted by [S.I. 2019/1422 reg. 5\(6\)\(a\)](#)
- Art. 8(2) substituted by [S.I. 2019/1422 reg. 5\(6\)\(b\)](#)
- Art. 8(3) omitted by [S.I. 2019/1422 reg. 5\(6\)\(c\)](#)
- Art. 8(4) omitted by [S.I. 2019/1422 reg. 5\(6\)\(c\)](#)
- Art. 8(5) words substituted by [S.I. 2019/1422 reg. 5\(6\)\(d\)](#)
- Art. 8(6) words omitted by [S.I. 2019/1422 reg. 5\(6\)\(e\)\(ii\)](#)
- Art. 8(6) words substituted by [S.I. 2019/1422 reg. 5\(6\)\(e\)\(i\)](#)
- Art. 8(7) omitted by [S.I. 2019/1422 reg. 5\(6\)\(f\)](#)
- Art. 9 words substituted by [S.I. 2019/1422 reg. 5\(7\)](#)
- Art. 10-11a omitted by [S.I. 2019/1422 reg. 5\(8\)](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by [S.I. 2019/1422 reg. 5\(9\)](#)
- Annex 3 Pt. 2 omitted by [S.I. 2019/1422 reg. 5\(11\)](#)
- Art. 1(1) words substituted by [S.I. 2019/1422 reg. 5\(2\)\(a\)](#)
- Art. 1(2) words substituted by [S.I. 2019/1422 reg. 5\(2\)\(a\)](#)
- Art. 1(5)(6) inserted by [S.I. 2019/1422 reg. 5\(2\)\(b\)](#)
- Art. 1(5)(b) omitted in earlier amending provision [S.I. 2019/1422, reg. 5\(2\)\(b\)](#) by [S.I. 2020/1453 reg. 14\(13\)](#)
- Art. 3(9)(10) inserted by [S.I. 2019/1422 reg. 5\(4\)\(f\)](#)
- Art. 3(9) omitted in earlier amending provision [S.I. 2019/1422, reg. 5\(4\)\(f\)](#) by [S.I. 2020/1453 reg. 14\(14\)\(a\)](#)
- Art. 3(10) words substituted in earlier amending provision [S.I. 2019/1422, reg. 5\(4\)\(f\)](#) by [S.I. 2020/1453 reg. 14\(14\)\(b\)](#)
- Art. 4(4) inserted by [S.I. 2019/1422 reg. 5\(5\)](#) (This amendment not applied to [legislation.gov.uk](#). [Reg. 5\(5\)](#) omitted immediately before IP completion day by virtue of [S.I. 2020/1453, regs. 1\(2\)\(b\), 14\(15\)](#))