

REGULATION No 129/63/EEC OF THE COUNCIL

of 12 December 1963

on certain provisions relating to poultry eggs for hatching and live poultry
not exceeding 185 grammes weight per head

THE COUNCIL OF THE EUROPEAN ECONOMIC
COMMUNITY,

Having regard to the Treaty establishing the
European Economic Community, and in particular
Article 43 thereof;

Having regard to Council Regulation No 21¹ on the
progressive establishment of a common organisation
of the market in eggs, and in particular the second
sentence of Article 3 (5) (a), the first subparagraph
of Article 6 (1), and Article 10 thereof;

Having regard to Council Regulation No 22² on
the progressive establishment of a common
organisation of the market in poultrymeat, and in
particular Article 10 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European
Parliament³;

Whereas, with a view to promoting poultry breeding
and hatching, quantities of feed-grain and sluice-gate
prices other than those applicable to eggs in shell for
consumption should be laid down for poultry eggs
for hatching and for live poultry not exceeding 185
grammes weight per head;

Whereas eggs for hatching should be prevented from
being put on the market as eggs for consumption;
whereas, to this end, eggs for hatching should be
stamped to distinguish them from eggs for
consumption;

Whereas, to ensure compliance with the rules on
stamping, a check on eggs for hatching put on the
market and on hatching stations and the eggs they
use is necessary;

Whereas, to enable Member States to introduce legal
and administrative provisions for checks on eggs for
hatching, sufficient time must be allowed between
the date of entry into force of the Regulation and the
date of application of the provisions on stamping and
checking;

Whereas before fixing a quantity of feed-grain and a
sluice-gate price for eggs for hatching there should be
a certain trial period for the application of the
provisions on stamping and checking of eggs for
hatching;

Whereas the quantities of feed-grain for eggs for
hatching and for poultry not exceeding 185 grammes
weight per head should be fixed at the same time;
whereas the sluice-gate prices for the same products
should also be fixed at the same time;

Whereas it is necessary to extend certain provisions of
Council Regulation No 104/63/EEC⁴ and of Council
Regulations Nos 45,⁵ 46⁶ and 116⁷ and of Council
Regulation No 105/63/EEC,⁸ where applicable, until
the date of application of Council Regulations which
will fix the quantities of feed-grain and the
sluice-gate prices for eggs for hatching and for
poultry not exceeding 185 grammes weight per head;

HAS ADOPTED THIS REGULATION:

Article 1

1. Eggs for hatching for the production of poultry
may not be imported or put on the market unless
they bear an indelible black stamp giving in fully

¹ OJ No 30, 20.4.1962, p. 953.

² OJ No 30, 20.4.1962, p. 959.

³ OJ No 33, 4.3.1963, p. 453.

⁴ OJ No 140, 29.9.1963, p. 2407.

⁵ OJ No 53, 1.7.1962, p. 1568.

⁶ OJ No 53, 1.7.1962, p. 1568.

⁷ OJ No 68, 31.7.1962, p. 1956.

⁸ OJ No 140, 29.9.1963, p. 2408.

legible roman type not less than 2 mm high, the following particulars:

- (a) the words 'Brutei' or 'à couver' or 'cova' or 'broedei' or 'for hatching';
- (b) the name of the country of origin;
- (c) the registration number assigned by a government agency to the poultry-breeding establishment where the eggs were laid.

2. Each Member State shall, at least once a year, communicate to the other Member States and to the Commission the list of poultry-breeding establishments located on its territory producing eggs for hatching which are to be put on the market.

This list must include the following particulars:

- (a) the name (or business name) and address of the poultry-breeding establishment;
- (b) the registration number of that establishment;
- (c) the name and address of the responsible poultry farmer.

Article 2

Member States shall refuse imports of eggs for hatching from third countries unless the country of origin has furnished the particulars provided for in Article 1 (2) above.

Article 3

Eggs for hatching may not be imported or put on the market unless they are accompanied by a document giving the following particulars:

- (a) the name of the country of origin;
- (b) the name (or business name), address and registration number of the poultry-breeding establishment where the eggs were laid, and the name and address of the responsible poultry farmer;
- (c) the number of eggs for hatching in the batch;
- (d) the delivery date.

Article 4

1. At each hatching station the following information shall be entered in writing for each batch of eggs set for hatching:

- (a) the name of the country of origin;

- (b) the name (or business name) and address of the poultry-breeding establishment where the eggs were laid, and the name and address of the responsible poultry farmer;

- (c) the number of eggs in the batch set for hatching;

- (d) the date on which the eggs were set for hatching.

2. Establishments shall not be regarded as being hatching stations, for the purpose of this Regulation, unless they have a total incubator capacity, excluding hatching chambers, of at least 1000 eggs.

Article 5

1. The quantity of feed-grain for eggs for hatching provided for in Article 3 (3) (a) of Council Regulation No 21 shall be different from that laid down for eggs in shell for consumption; this quantity shall be fixed before 1 October 1964, in accordance with the procedure laid down in the second sentence of Article 3 (5) (a) of that Regulation and shall be used for calculating the levies applicable from 1 January 1965.

2. The sluice-gate price for eggs for hatching provided for in Article 6 of Council Regulation No 21 shall be different from that laid down for eggs in shell for consumption; this amount shall be fixed before 1 December 1964, in accordance with the procedure laid down in Article 6 (1) of that Regulation, and shall apply from 1 January 1965.

Article 6

1. The quantity of feed-grain required for the production of live poultry not exceeding 185 grammes weight per head shall, by way of derogation from Article 3 (5) of Council Regulation No 22, be calculated with reference to the quantity of feed-grain fixed for eggs for hatching in application of Article 5 (1) of this Regulation; this quantity shall be fixed before 1 October 1964, in accordance with the procedure laid down in the second sentence of the first subparagraph of Article 3 (6) of Council Regulation No 22 and shall be used for calculating the levies applicable from 1 January 1965.

2. The sluice-gate price applicable to live poultry not exceeding 185 grammes weight per head, shall, by way of derogation from the second subparagraph of Article 6 (1), and the first indent of Article 6 (4) of Council Regulation No 22, be calculated with reference to the sluice-gate price fixed for eggs for hatching in application of Article 5 (2) of this Regulation; this quantity shall be fixed before 1 December 1964, in accordance with the procedure

laid down in Article 6 (1) of Council Regulation No 22, and shall apply from 1 January 1965.

Article 7

1. The quantities of feed-grain provided for in Article 1 of Council Regulation No 104/63/EEC shall be maintained until otherwise decided by the Council or, failing that, until the date when the Regulations to be adopted by the Council for applying Articles 5 and 6 of this Regulation are put into effect.

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

Done at Brussels, 12 December 1963.

2. Council Regulations Nos 45, 46 and 116, as last extended by Council Regulation No 195/63/EEC, are hereby extended until 31 December 1964.

Article 8

This Regulation shall enter into force on 1 January 1964.

Articles 1, 2, 3 and 4 shall apply from 1 May 1964.

For the Council

The President

B. W. BIESHEUVEL