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REGULATION (EEC) No 2638/69 OF THE COMMISSION
of 24 December 1969

laying down additional provisions on quality control of fruit and vegetables marketed
within the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community;

Article 1

Having regard to Council Regulation No 158/66/EEC¹ of 25 October 1966 on applying common quality standards to fruit and vegetables marketed within the Community, as last amended by Council Regulation (EEC) No 2516/69² of 9 December 1969, and in particular Articles 5 (2) and 10 thereof;

1. With regard to the inspection provided for in the second subparagraph of Article 5 (1) of Regulation No 158/66/EEC the consignor or his representative shall notify the inspector, prior to dispatch from forwarding areas, of all consignments to be dispatched outside those areas. He shall at the same time supply the details necessary to identify the consignments and to enable the inspection to be carried out. He shall also indicate the destination of the consignments.

Whereas, according to the second subparagraph of Article 5 (1) of Regulation No 158/66/EEC, quality control of fruit and vegetables must be carried out preferably prior to dispatch from the production areas; whereas, within the framework of the progressive establishment of a uniform system of inspection of products irrespective of their destination within the Community, special measures should be adopted to give priority of inspection to products dispatched in large complete loads from a given forwarding area to other Community areas;

For the purposes of this Regulation 'forwarding areas' means those listed in Annex I.

Whereas the movement of fruit and vegetables which have been inspected will be facilitated if, when control is completed, the inspector issues a certificate of inspection; whereas the conditions under which that certificate must be drawn up and issued should be laid down;

2. In respect of consignments weighing less than 4 metric tons, Member States may exempt consignors from the obligations specified in paragraph 1. Member States shall inform the Commission of provisions adopted in application of this paragraph.

Whereas the work of inspectors should be co-ordinated;

3. Where inspection is carried out on dispatch from the forwarding area, a certificate to accompany the goods shall be issued under the conditions laid down in Article 2 (1).

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Fruit and Vegetables;

Where such inspection is not carried out an acknowledgement of receipt shall be issued to accompany the goods. However, Member States may postpone application of this provision until 1 June 1970.

Article 2

1. Where inspection takes place on dispatch from the forwarding area, the inspector shall, after satisfying himself that the goods comply with the regulations in force and that all necessary measures have been taken so that no substitution of the goods

¹ OJ No 192, 27.10.1966, p. 3282/66.

² OJ No L 318, 18.12.1969, p. 14.

inspected can occur, issue a certificate to the effect that at the time of inspection the goods complied with the regulations in force.

2. Where inspection takes place during transport, the inspector:

- shall make sure that the certificate or the acknowledgement of receipt referred to in Article 1 is available in respect of goods which have been notified in accordance with that Article,
- shall, in respect of goods which are not accompanied by a certificate, issue a certificate under the conditions laid down in paragraph 1 to the effect that at the time of inspection the goods complied with the regulations in force.

Article 3

The certificate referred to in the preceding Articles shall be drawn up and completed on a form similar to that shown in Annex II. It shall cease to be valid as soon as the goods which it accompanies are distributed.

The acknowledgement of receipt referred to in the second subparagraph of Article 1 (3) shall be drawn up and completed on a form similar to that shown in Annex III.

Article 4

Representatives of the inspection authority of a Member State, appointed for the purpose by that same Member State, may be present at inspections carried out by inspectors of other Member States. They must hold written authority to do so.

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

Done at Brussels, 24 December 1969.

For the Commission

The President

Jean REY

The Member State concerned shall notify the other Member States beforehand of the abovementioned temporary or permanent written authority and the credentials of the inspector concerned.

All Member States shall adopt the measures necessary to enable these inspectors to carry out their task.

Article 5

1. Any Member State on whose territory a consignment of goods coming from another Member State is judged not to conform to the regulations in force shall notify that Member State immediately of the irregularity.

Each Member State shall furnish the Commission with a monthly report of such irregularities.

2. The Chairman of the Management Committee for Fruit and Vegetables shall present to the Committee at regular intervals a report on cases of irregularity of which he has been notified by Member States.

Article 6

Article 4 of Commission Regulation No 93/67/EEC¹ laying down initial provisions on quality control of fruit and vegetables marketed within the Community is hereby repealed.

Article 7

This Regulation shall enter into force on 1 January 1970.

¹ OJ No 90, 10.5.1967, p. 1766/67.

ANNEX I

List of forwarding areas referred to in the second subparagraph of Article 1

- BELGIUM: the whole territory of the kingdom
- GERMANY: — Schleswig-Holstein, Hamburg, Niedersachsen, Bremen
— Nordrhein-Westfalen
— Hessen, Rheinland-Pfalz, Saarland
— Baden-Württemberg, Bayern
- FRANCE: — Nord, Picardie, Région parisienne, Haute et Basse Normandie, Centre, Bretagne, Pays de la Loire, Poitou-Charentes
— Limousin, Aquitaine, Midi-Pyrénées, Auvergne
— Champagne, Lorraine, Alsace, Franche-Comté, Bourgogne
— Rhône-Alpes, Languedoc, Provence-Côte d'Azur, Corse
- ITALY: — Val d'Aosta, Piemonte, Liguria, Lombardia, Emilia-Romagna, Trentino-Alto Adige, Veneto, Friuli-Venezia Giulia
— Toscana, Umbria, Marche, Lazio, Abruzzi, Molise
— Campania, Puglia, Basilicata, Calabria
— Sicilia
— Sardegna
- LUXEMBOURG: the whole territory of the Grand Duchy
- NETHERLANDS: the whole territory of the kingdom

ANNEX II

EEC

- Country:
- Authority responsible for inspection
- No:

CERTIFICATE OF INSPECTION

The authority shown in the heading certifies that on the basis of samples inspected the goods set out hereunder, at the time of inspection, corresponded to the common quality standards in force.

Nature of goods and varieties if any	Quality class	Packer, Consignor	Number of packages	Total weight in kg net ¹ gross ¹

¹ Delete word which does not apply.

Origin: Means of transport:
 Destination:
 Date of issue: Place of issue:
 Frontier crossing point (optional)
 Latest date of validity of certificate: Inspector:
 (optional) (name in capitals)
 Signature:
 This certificate is for the exclusive use of the authority responsible for inspection Stamp of the authority responsible for inspection

ANNEX III

EEC — Country
 Authority responsible for inspection
 — No:

ACKNOWLEDGEMENT OF RECEIPT

The authority shown in the heading certifies that (name and address) notified it, prior to dispatch, of the consignment described hereunder

Nature of goods and varieties if any: Total weight in kg net¹, gross¹:

Destination:
 Means of transport:
 Anticipated date of dispatch:
 Date:
 Signature of inspector
 Stamp of the authority responsible for inspection

¹ Delete word which does not apply.