



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 26.5.2005  
COM(2005) 215 final

Proposal for a

**COUNCIL REGULATION**

**amending Regulation (EEC) No 1907/90 on certain marketing standards for eggs**

(presented by the Commission)

## **EXPLANATORY MEMORANDUM**

By Regulations (EC) Nos 5/2001 and 2052/2003 amending Regulation (EEC) No 1907/90 on certain marketing standards for eggs, the Council made compulsory as from 1 January 2004 the marking of all grade A (fresh) eggs in the Community with a code identifying the producer and permitting the farming method to be identified. A derogation allowed eggs sold on local public markets to be marked from 1 July 2005 only.

The latter requirement creates problems, in particular in the new Member States where the sale of eggs in small quantities on local public markets is extremely widespread.

The Commission has therefore been asked to provide for a derogation from the marking of eggs sold on local public markets in the region of production. This request is justified by the socioeconomic importance of direct sales of certain agricultural products, such as table eggs, for small producers.

The Council Regulation should therefore be amended to allow the Member States to exempt, on an optional basis and under certain conditions, small producers with up to 50 laying hens from compulsory marking of eggs sold on the local public market.

Proposal for a

## COUNCIL REGULATION

### amending Regulation (EEC) No 1907/90 on certain marketing standards for eggs

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs<sup>1</sup>, and in particular Article 2(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) From 1 July 2005, eggs sold on a local public market must be stamped with a code designating the producer's distinguishing number and permitting the farming method to be identified in accordance with Article 7(1)(a) of Council Regulation (EEC) No 1907/90<sup>2</sup>. In some Member States, this requirement could create difficulties for small, low-income holdings, where egg production is often only a sideline. As the possibility of selling these table eggs on local public markets is of great economic and social importance for such holdings, Member States should be permitted to exempt them from the compulsory marking requirement. A derogation should therefore be laid down to this end for holdings with up to 50 laying hens.
- (2) Regulation (EEC) No 1907/90 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

The last subparagraph of Article 2(3) of Regulation (EEC) No 1907/90 is hereby replaced by the following:

“However, eggs sold by the producer on a local public market shall carry the code defined in Article 7(1)(a). Member States may exempt producers of eggs whose holding does not exceed 50 laying hens from this requirement, provided that those eggs are sold on a local public market in the region of production and that the name and address of the holding are indicated at the place of sale.”

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<sup>1</sup> OJ L 282, 1.11.1975, p. 49. Regulation as last amended by Commission Regulation (EC) No 2052/2003 (OJ L 305, 22.11.2003, p. 1).

<sup>2</sup> OJ L 173, 6.7.1990, p. 5. Regulation as last amended by Commission Regulation (EC) No 2052/2003 (OJ L 305, 22.11.2003, p. 1).

*Article 2*

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

It shall apply from 1 July 2005.

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

Done at Brussels,

*For the Council  
The President*