

EUROPEAN COMMUNITIES (CERTIFICATION OF HOPS) REGULATIONS 1979

I, JAMES GIBBONS, Minister for Agriculture, in exercise of the power conferred on me by section 3 of the European Communities Act, 1972 (No. 27 of 1972), and for the purpose of giving effect to Council Regulation (EEC) No. 1696/71 of 26 July 1971 (as amended by Council Regulations (EEC) No. 1170/77 of 17 May 1977), Council Regulation (EEC) No. 1784/77 of 19 July 1977,³ Commission Regulation (EEC) No. 890/78 of 28 April 1978,⁴ Commission Regulation (EEC) No. 3076/78 of 21 December 1978,⁵ and Commission Regulation (EEC) No. 3077/78 of 21 December 1978,⁶ hereby make the following Regulations:

1 OJ No. L175, 4.8. 1971, p. 1.

2 OJ No. L137, 3.6. 1977, p. 7.

3 OJ No. L200, 8.8. 1977, p. 1.

4 OJ No. L117, 29.4.1978, p. 43.

5 OJ No. L367, 28.12.1978, p. 17.

6 OJ No. L367, 28.12.1978, p. 28.

REG 1

1. These Regulations may be cited as the European Communities (Certification of Hops) Regulations, 1979, and shall come into operation on the 15th day of August, 1979.

REG 2

2. In these Regulations—

"the Minister" means the Minister for Agriculture;

"authorised officer" means a person appointed by the Minister to be an authorised officer for the purpose of these Regulations;

"the EEC Regulation" means Council Regulation (EEC) No. 1696/71 of 26th July, 1971, as amended by Council Regulation (EEC) No. 1170/77 of 17 May, 1977;

"the other EEC Regulations" means—

(i) Council Regulation (EEC) No. 1784/77 of 19 July, 1977,

(ii) Commission Regulation (EEC) No. 890/78 of 28 April, 1978,

(iii) Commission Regulation (EEC) No. 3076/78 of 21 December, 1978, and

(iv) Commission Regulation (EEC) No. 3077/78 of 21 December, 1978;

"Member State" means a Member State of the European Communities.

REG 3

3. A person who contravenes Title 1 of the EEC Regulation or any provision of the other EEC Regulations shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £200.

REG 4

4. (1) An authorised officer may—

(a) at all reasonable times enter any premises in which he has reasonable grounds for believing that there are any books, documents or records relating to any activity referred to in Title I of the EEC Regulation or in the other EEC Regulations,

(b) require any person found on the premises to produce to him any books, documents or records which are in the person's control, possession or procurement and which the officer has reasonable grounds for believing to be records, books or documents of the kind referred to in sub-paragraph (a) of this paragraph and to give him such information as he may reasonably require in regard to any entries in any such records, books or documents and

(c) inspect and copy or take extracts from any such records, books or documents.

(2) A person who fails to comply with a requirement under paragraph (1) (b) of this Regulation or who obstructs or interferes with an authorised officer when he is exercising a power conferred by this Regulation shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £200.

REG 5

5. (1) An authorised officer may at any reasonable time enter any premises in which he has reasonable grounds for believing that any activity referred to in Title I of the EEC Regulation or in the other EEC Regulations is carried on and may examine the stock and take samples of anything which he believes to be a product referred to in Article 1 of the EEC Regulation and which he finds in the course of his inspection.

(2) Any person who obstructs or interferes with an authorised officer in the course of exercising a power conferred on him under this Regulation shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £200.

REG 6

6. The Minister shall furnish an authorised officer with a certificate of his appointment and, when exercising any powers conferred by these Regulations, the officer shall, if requested by any person affected, produce the certificate to that person.

REG 7

7. If any person fraudulently—

(a) tampers with any product which is a product referred to in Article 1 of the EEC Regulations so as to procure that any sample of the product taken under these Regulations does not correctly

represent it, or
(b) tampers or interferes with any sample taken under these
Regulations,
he shall be guilty of an offence and shall be liable on summary
conviction to a fine not exceeding £200 or, at the discretion of
the court, to imprisonment for a term not exceeding six months, or
to both.

REG 8

8. An offence under these Regulations may be prosecuted by the
Minister.

GIVEN under my Official Seal, this 27th day of July 1979.

JAMES GIBBONS,

Minister For Agriculture

EXPLANATORY NOTE

The Regulations supplement the provisions in the EEC Regulations relating to the
certification of hops by providing the necessary powers for authorised officers and by
prescribing penalties for offences.