

THE MINISTRY OF AGRICULTURE, FISHERIES AND RURAL DEVELOPMENT

2498

Pursuant to Article 38, paragraph 4 of the Livestock Act (Official Gazette 70/97; 36/98; 151/03 and 132/06) and Article 94, paragraph 2 of the Food Act (Official Gazette 46/07), the Minister of Agriculture, Fisheries and Rural Development hereby issues the

ORDINANCE

ON AMENDMENTS TO THE ORDINANCE ON THE QUALITY OF EGGS

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Article 1

After paragraph 1 of Article 1 of the Ordinance on the quality of eggs (Official Gazette 115/06 and 69/07) a new paragraph 2 is added which reads:

“(2) This Ordinance lays down the conditions of marketing of eggs produced in the Republic of Croatia or imported from other countries.”

Article 2

Article 2 is amended to read:

”The provisions of this Article shall not apply to eggs sold by producers with up to 50 laying hens directly to final consumers:

- at the point of production,
- at the local public market.”

Article 3

In Article 3, paragraph 1, after item 13, new items 14, 15, 16 and 17 are added which read:

”14. ‘incubated eggs’ means eggs from the time of insertion in the incubator onwards;

15. ‘production site’ means an establishment keeping laying hens registered in accordance with the Ordinance laying down the conditions to be met by farms and the requirements for the protection of animals on farms (Official Gazette 136/05 and 101/07)²;

16. ‘final consumer’ means the person who will not use the eggs for the purpose of any further sale, processing or similar activity.”

17. ‘food operator’ means producer of eggs or any other natural or legal person involved in the marketing of eggs.”

Article 4

Article 5 is amended to read:

”(1) Eggs shall be graded, marked and packed within ten days of laying.

(2) Eggs intended to be marketed as class A eggs bearing the mark “extra” shall be graded, marked and packed within four days of laying.”

Article 5

Article 7 is amended to read:

“Packing centres shall grade and pack eggs and label eggs and their packs.”

Article 6

After paragraph 4 in Article 8, a new paragraph 5 is added which reads:

»(5) In accordance with the provision of paragraph 1 of this Article, food operators whose premises and technical equipment are suitable for grading eggs by quality and weight shall be authorised by the competent authority. No suitable technical equipment for grading eggs by weight referred to in paragraph 3 of this Article shall be required for packing centres packing eggs for industrial processing.

Article 7

Article 25 is amended to read:

”(1) If eggs are imported from a country whose applicable marketing standards for eggs are not equivalent to the provisions of this Ordinance, the Ministry of Agriculture, Fisheries and Rural Development shall, on the request of the importer, consider carefully the import of eggs from that country. The evaluation of whether such import is justified shall include information concerning marking and packing, farming methods as well as the possibility to carry out controls of all operators in the countries of origin, whereof a Decision shall be rendered.

(2) If it is found that the import referred to in paragraph 1 of this Article is justified, eggs imported shall be marked visibly and legibly in accordance with the standard HRN ISO 3166-1-2007-country codes.

(3) Packs of eggs referred to in paragraph 2 of this Article shall on their outside bear a visible and legible indication as to the country of origin and the indication that the farming method is unspecified.

Article 8

After paragraph 5 of Article 39, new paragraphs 6 and 7 are added which read:

”(6) Apart from random sampling, checks of imported eggs shall be carried out on the basis of a risk analysis, taking into account the type of the food operator concerned, as well as the operator's past records as regards compliance with the marketing standards for eggs.

(7) For imported Class A eggs, checks shall be made at the time of customs clearance and prior to the release for free circulation. Imported Class B eggs shall be released for free

circulation only after checking at the time of customs clearance that their final destination is the processing industry.”

Article 9

Egg producers with up to 350 laying hens prior to the entry into force of this Ordinance shall comply with the provisions thereof by 1 June 2009.

Article 10

This Ordinance shall enter into force on the eighth day after the day of its publication in the Official Gazette.

Class: 011-02/08-01/9

Reg. No.: 525-2-08-1

Zagreb, 10 June 2008

The Minister
Božidar Pankrećić, m.p.

¹ The Ordinance transposes the provisions of Council Regulation (EC) No 1028/2006 of 19 June 2006 on marketing standards for eggs.

² The Ordinance transposes the provisions of Council Directive (EC) No 1999/74 of 19 July 1999 laying down minimum standards for the protection of laying hens and the provisions of Commission Directive (EC) No 2002/4 of 30 January 2002 on the registration of establishments keeping laying hens