



2024/602

16.2.2024

COMMISSION DELEGATED REGULATION (EU) 2024/602

of 14 December 2023

supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the marketing standards in the hop sector and repealing Commission Regulation (EC) No 1850/2006

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 75(2) and Article 77(5) thereof,

Whereas:

- (1) Regulation (EU) No 1308/2013 repealed and replaced Council Regulation (EC) No 1234/2007 ⁽²⁾. It lays down rules on marketing standards for hops and the certification of hops and empowers the Commission to adopt delegated and implementing acts in that respect. In order to ensure the smooth functioning of the application of marketing standards and the certification for hops and hop products, in the new legal framework, certain additional rules have to be adopted by means of delegated acts. This Regulation and Commission Implementing Regulation (EU) 2024/601 ⁽³⁾ should replace Commission Regulation (EC) No 1850/2006 ⁽⁴⁾.
- (2) Article 77(1) of Regulation (EU) No 1308/2013 provides that products of the hops sector harvested or prepared within the Union are subject to a certification procedure which guarantees that they meet minimum quality requirements. In order to ensure a uniform application of the certification procedure in the Member States, it is necessary to specify the products of the hop sector subject to certification.
- (3) Article 77(4) of Regulation (EU) No 1308/2013 provides that products of the hop sector may be marketed or exported only if covered by a certificate issued in accordance with that provision. Breweries pay great attention to the quality of the hops used in the brewing process because that ingredient has a big influence on the taste of the final product. Where hops are grown and processed by breweries or by third parties on contract for a brewery, requiring an official certification in addition to the internal quality control of the brewery concerned would create additional cost and an unnecessary administrative burden. Small quantities of products of the hops sector sold to private individuals in small packages are a niche market and certifying the content of each small package and marking the packages according to the applicable rules would be an unjustifiable amount of work, especially as this would also have an impact on the price of those products for the private users. Isomerised hop products have undergone heavy processing and are of a stable nature, which is why certification is no longer necessary to guarantee their quality. It is therefore appropriate to exempt certain hop products from the certification requirement for marketing or export purposes.
- (4) In view of establishing the scope of the exemption from the certification obligation for hops grown and/or processed for breweries under contract or by the breweries themselves, while still ensuring a supervision by the competent certification authority, the brewer should inform the competent certification authority through a harvest declaration about the varieties grown, the quantities harvested, the places of production and the areas planted in

⁽¹⁾ OJ L 347, 20.12.2013, p. 671, ELI: <http://data.europa.eu/eli/reg/2013/1308/oj>.

⁽²⁾ Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) (OJ L 299, 16.11.2007, p. 1, ELI: <http://data.europa.eu/eli/reg/2007/1234/oj>).

⁽³⁾ Commission Implementing Regulation (EU) 2024/601 of 14 December 2023 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the certification of hops and hop products and related controls (OJ L, 2024/601, 16.2.2024, ELI: http://data.europa.eu/eli/reg_impl/2024/601/oj).

⁽⁴⁾ Commission Regulation (EC) No 1850/2006 of 14 December 2006 laying down detailed rules for the certification of hops and hop products (OJ L 355, 15.12.2006, p. 72, ELI: <http://data.europa.eu/eli/reg/2006/1850/oj>).

order to ensure that the products in question are only for the use of the brewery concerned. As far as the processing of hops for breweries is concerned, the certification authority should be provided with advance information about the brewery concerned, the processor, the raw material and the final product to enable a certain supervision of the process. The packaging of those products should also carry a special mention that they may not be marketed to ensure that they can only be used by the brewery in question.

- (5) In case a certified consignment of unprepared hops is split up for sale, each of the consignments should be accompanied by a commercial document drawn up by the vendor which bears information from the certificate of the original consignment in order to ensure the full traceability of each consignment.
- (6) To ensure the high quality of mixes of raw hops and hop products, in case of blends each of the consignments of hop cones used should meet the minimum quality requirements. In the case of blends of hop cones to be used as such, to maintain the special character conferred to the product by the variety and the production area, only hop cones of the same area and variety should be used. For hop products, a blend of hops of different varieties and/or production areas can be required to obtain a certain flavour profile, which is why such blends should be permitted and each variety and/or origin should be entered in the certificate, with indication of the percentage weight of each variety and/or production area, to allow traceability. Given that over time hops lose some of the alpha acid which influences their special flavour, only raw hops of the same harvest year should be blended, both for hop blends to be used as such and for hop products. In order to ensure that no elements which do not meet the requirements can be added, blended products of the hops sector should only be certified if they were blended under official surveillance in certification centres.
- (7) The minimum quality requirements for both prepared and unprepared raw hops as far as their moisture content, content of leaves, stalks and hop waste as well as seeds in the case of seedless hops should be specified.
- (8) As this Regulation updates and replaces the existing rules laid down in Regulation (EC) No 1850/2006, that Regulation should be repealed,

HAS ADOPTED THIS REGULATION:

SECTION 1

INTRODUCTORY PROVISIONS

Article 1

Subject matter

This Regulation lays down rules supplementing Regulation (EU) No 1308/2013 as regards the marketing standards for hops and hop products referred to in Article 2 and the conditions under which hops and hop products are exempted from certification requirement laid down in Article 77(4) of that Regulation.

Article 2

Scope

This Regulation shall apply to:

- (a) hop cones falling under CN code 1210 10 00 covered by Part VI of Annex I to Regulation (EU) No 1308/2013 when harvested in the Union or imported from third countries in accordance with Article 190 of that Regulation;

- (b) hop products falling under CN codes 1210 20 and 1302 13 00 covered by Part VI of Annex I to Regulation (EU) No 1308/2013 prepared in the Union or imported from third countries in accordance with Article 190 of that Regulation.

It shall not apply to isomerised hop products.

Article 3

Definitions

For the purposes of this Regulation and Implementing Regulation (EU) 2024/601, the following definitions shall apply:

- (a) 'hop cones' or 'hops' means the inflorescences, of the (female) climbing hop plant (*Humulus lupulus*); these inflorescences, which are greenish yellow and of an ovoid shape, have a flower stalk and their longest dimension generally varies from 2 to 5 cm;
- (b) 'unprepared hops' means hops which have undergone only preliminary drying and packaging;
- (c) 'prepared hops' means hops which have undergone final drying and final packaging;
- (d) 'seeded hops' means hops marketed with a seed content exceeding 2 % of their weight after drying;
- (e) 'seedless hops' means hops marketed with a seed content not exceeding 2 % of their weight after drying;
- (f) 'hop product' means a product derived from hop cones which have undergone a more significant transformation, such as hop powders, pellets or extracts;
- (g) 'isomerised hop product' means hop product in which the alpha acids have been almost totally isomerised;
- (h) 'consignment' means a number of packages of hops with the same characteristics presented at the same time for certification by the same individual or associated producer or by the same processor;
- (i) 'hop production areas' means the zones or regions of production in the list drawn up by the Member States concerned;
- (j) 'sealing' means closure of the package in such a way that the means of closure will be damaged when the package is opened;
- (k) 'marking' means labelling and identification;
- (l) 'closed operating circuit' means a process for preparing or processing hops in such a way that no hops or processed products can be added or removed during the operation. The closed operating circuit starts with the opening of the sealed package containing the hops or hop products to be prepared or processed and ends with the sealing of the package containing the prepared hops or processed hop product;
- (m) 'competent certification authority' means the body or department authorised by the Member State to carry out certification and to approve and control certification centres;
- (n) 'certification centre' means a venue where certification is carried out;
- (o) 'representatives of a competent certification authority' means personnel either employed by the competent certification authority, or employed by a third party and authorised by the competent certification authority to carry out certification duties;
- (p) 'official surveillance' means supervision of certification activities by the competent certification authority or its representatives.

SECTION 2

MARKETING STANDARDS

*Article 4***Marketing of hops and hop products**

Hop cones and hop products harvested and/or prepared within the Union may only be marketed if they have undergone a certification procedure in accordance with Article 2 of Implementing Regulation (EU) 2024/601 and are accompanied by a certificate referred to in Article 77(2) of Regulation (EU) No 1308/2013.

*Article 5***Exemptions from the certification obligation**

The certification requirement referred to in Article 4 shall not apply to:

- (a) hops harvested on land owned by a brewery or grown on contract for a brewery and used by that brewery in the natural or processed state;
- (b) hop products processed under contract on behalf of a brewery, provided that those products are used by the brewery;
- (c) hops and hop products for sale to private individuals for their own use put in small packets of not more than 5 kg in the case of cones, powders and pellets and 1 kg in the case of extracts or isomerised hop products, with a description of the product and its weight on the package.

*Article 6***Special provisions for breweries**

1. For hops grown by a brewery on their own land or grown on contract for a brewery to be used by the brewery, the brewer shall, by 15 November of each year at the latest, send to the competent certification authority a harvest declaration of the varieties grown, the quantities harvested, the places of production and the areas planted, together with the land register references or an official equivalent thereof.

2. In the case of hops processed under contract on behalf of a brewery, before the hops enter the establishment where they are to be processed, the brewery shall provide the processor and the competent certification authority with a processing document with the following information:

- (a) a unique reference number identifying the contract;
- (b) the recipient brewery;
- (c) the name and address of the processing establishment;
- (d) the unique reference number of the certificate of the hops or hop products to be processed and/or, in case of imported hops, the attestation of equivalence provided for in Article 190(2) of Regulation (EU) No 1308/2013 and/or a copy of the harvest declaration of the hops to be processed.

3. The following entries shall be entered by the processor in the processing document after the processing operation:

- (a) a description of the processed product;
- (b) the weight of the processed product.

4. The processing document referred to in paragraph 2 shall be given a unique reference number, which shall also appear on the packaging. The following additional indication shall be included on the document and on the package: 'hops/hop products for own use; may not be marketed'.

*Article 7***Splitting of consignments of hops**

1. In case a certified consignment of hops is split up for sale, the product shall be accompanied by an invoice or a commercial document drawn up by the vendor including the weight of the part sold.
2. The invoice or commercial document shall also bear the following information, taken from the certificate referred to in Article 4:
 - (a) the description of the product;
 - (b) the gross or net weight of the original certified consignment;
 - (c) the place and area of production;
 - (d) the variety;
 - (e) the year of harvest;
 - (f) the unique reference number of the certificate.

*Article 8***Blending of consignments of hops and hop products**

1. Blended products of the hops sector may only be certified if they were blended under official surveillance in certification centres.
2. Where hop cones are blended to be used as such or transformed into a hop product, each of the consignments used for the blend shall meet the minimum quality requirements laid down in Annex I. Hop cones to be used as such may only be blended with hop cones from the same variety, production area and year of harvest.
3. Certified hop products prepared from certified hops which are from the same year of harvest, but of different varieties and/or from different hop production areas may be blended in the manufacture of hop products provided that the certificate accompanying the product states:
 - (a) the varieties used, the hop production areas and the year of harvest;
 - (b) the percentage weight of each variety used in the blend; if hop products have been used in combination with hop cones for the manufacturing of hop products, or if different hop products have been used, the percentage of each variety shall be based on the weight of the hop cones which were used for the preparation of the input products;
 - (c) the reference numbers of the certificates issued for the hops and hop products used.

SECTION 3

FINAL PROVISIONS*Article 9***Repeal**

Regulation (EC) No 1850/2006 is repealed.

References to the repealed Regulation shall be construed as references to this Regulation and to Implementing Regulation (EU) 2024/601 and shall be read in accordance with the correlation table in Annex II.

*Article 10***Entry into force**

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

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

Done at Brussels, 14 December 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Minimum marketing requirements for hop cones referred to in Article 8(2)

Characteristics	Description	Maximum content (% of weight)	
		Prepared hops	Unprepared hops
(a) Moisture	Water content	12,0	14,0
(b) Leaves and stalks	Leaf fragments from branch tendrils, branch tendrils, leaf or cone strigs; to be classed as stalk, cone strigs must be at least 2,5 cm long	6,0	6,0
(c) Hop waste	Small particles resulting from machine harvesting, varying in colour between dark green and black and which generally do not come from the cone; the maximum contents indicated may include particles of varieties of hops other than those to be certified, amounting to up to 2 % of the weight	3,0	4,0
(d) Seed content in the case of 'seedless hops'	Mature fruit of the cone	2,0	2,0

ANNEX II

Correlation table

Regulation (EC) No 1850/2006	This Regulation	Implementing Regulation (EU) 2024/601
Article 1(1)	Article 1	-
Article 1(2)	Article 2	-
Article 1(3)	Article 5	-
Article 1(4)	-	Article 5(3)
Article 2	Article 3	-
Article 3(1)	-	Article 6(2)
Article 3(2)	-	Article 6(3)
Article 4(1)	-	Article 2(2)
Article 4(2)	-	Article 7(1)
Article 4(3)	-	Article 7(2)
Article 5	-	Article 7(3)
Article 6(1)	-	Article 2(1) and (6)
Article 6(2)	-	Article 6(1)
Article 6(3)	-	Article 3(1)
Article 6(4)	-	Article 2(4)
Article 6(5)	-	Article 2(7)
Article 7(1)	Article 8(1)	-
Article 7(2)	Article 8(2)	-
Article 7(3)	Article 8(3)	-
Article 8	Article 7	-
Article 9(1)		Article 2(6)
Article 9(2)		Article 2(1)
Article 9(3)		Article 3(1)
Article 9(4)		Article 2(4)
Article 9(5)		Article 2(7)
Article 10(1)		Article 5(2)
Article 10(2)	-	-
Article 10(3)		Article 5(1)
Article 11		Article 8
Article 12(1)		Article 9(1)
Article 12(2)		Article 9(2)
Article 12(3)		Article 9(3)
Article 13		Article 2(7)
Article 16		Article 4

Article 17		Article 3(2)
Article 18		Article 3(3)
Article 19		Article 2(6)
Article 20(1)	Article 6(1)	
Article 20(2)	Article 6(2), (3) and (4)	
Article 21		Article 10
Article 22(1)		Article 11
Article 22(2)		Article 12
Article 23		Article 14
Article 24		Article 15
Article 25	Article 9	
Article 26	Article 10	Article 16
Annex I	Annex I	
Annex II		Annex IV
Annex III		Annex I
Annex IV		Article 5(3)
Annex V		Annex III
Annex VI		Annex II
Annex VII	Annex II	