

S.I. No. 195/1974 - European Communities (Wine) Regulations, 1974.

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I, JUSTIN KEATING, Minister for Industry and Commerce, in exercise of the powers conferred on me by Section 3 of the European Communities Act, 1972 (No. 27 of 1972), hereby make the following regulations:

1. These Regulations may be cited as the European Communities (Wine) Regulations, 1974.
2. These Regulations shall come into operation on the twenty-second day of July, 1974.
3. In these Regulations

"authorised officer" means an officer of the Minister authorised in writing by the Minister for the purposes of these Regulations;

"the Minister" means the Minister for Industry and Commerce;

"the Commission Regulations" means Commission Regulation 1769/72/EEC of 26 July 1972,¹ as amended by Commission Regulation 2814/72/EEC of 22 December 1972,² Commission Regulation 198/73/EEC of 29 December 1972,³ Commission Regulation 930/73/EEC of 3 April 1974,⁴ Commission Regulation 2098/73/EEC of 31 July 1973,⁵ Commission Regulation 2340/73/EEC of 29 August 1973,⁶ Commission Regulation 374/74/EEC of 13 February 1974,⁷ and Commission Regulation 1199/74/EEC of 13 May 1974.⁸

¹ OJ No L.191, 21.8.1972, (OJ/SE 1972 111)).

² OJ No L.297, 30.12.1972.

³ OJ No L.23, 29.1.1973.

⁴ OJ No L.90, 6.4.1973.

⁵ OJ No L.121, 1.8.1973.

⁶ OJ No L.242, 30.8.1973.

⁷ OJ No L.42, 14.2.1974.

⁸ OJ No L.131, 14.5.1974.

4. (1) A person who contravenes a provision of the Commission Regulations shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding 200.

(2) Paragraph (1) of this Regulation shall not apply in relation to Articles 2 and 13 of Commission Regulation 1769/72/EEC of 26 July 1972.

5. An authorised officer shall be furnished with a warrant of his appointment as an authorised officer and when exercising any power conferred on an authorised officer by these Regulations shall, if requested by any person affected, produce the warrant to that person.

6. An authorised officer may at all reasonable times enter

(a) any premises in which he has reasonable grounds for believing that a product specified in Article 1 of Commission Regulation 1769/72/EEC of 26 July, 1972 or an accompanying document (within the meaning of that Article), or record (within the meaning of Article 15 of the said Commission Regulation) is kept, or

(b) any railway wagon, vehicle, ship, vessel or aircraft in which he has reasonable grounds for believing that such a product or an accompanying document (within the meaning aforesaid) is being transported, and

there or at any other place

(i) make such examinations, tests and inspections, and

(ii) take such reasonable samples, of any such product which he finds in the course of his inspection, as he may consider appropriate for the purposes of these Regulations and the Commission Regulations.

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

GIVEN under my Official Seal, this 26th day of June, 1974.

JUSTIN KEATING,

Minister for Industry and

Commerce.

EXPLANATORY NOTE.

The principal effect of these Regulations is to provide penalties for breaches of the provisions of Regulation (EEC) No. 1769/72 of 26th July, 1972 as amended relating to documents to accompany consignments of wine and related products and records to be kept by importers, wholesalers and bottlers of wine.