

# TEA & HERBAL INFUSIONS EUROPE

Formerly: European Tea Committee (ETC) and European Herbal Infusions Association (EHIA)



Version 2 | 23rd October, 2018

## STATUTES

### Article 1

#### **Name, Membership, Location, Working language, Financial year**

- (1) The name of the association regulated by these Statutes is Tea & Herbal Infusions Europe (THIE), hereafter referred to as the Association.
- (2) Full membership is open to national tea and herbal infusions associations of the member countries of the European Union (EU) together with Iceland, Norway, Switzerland and the United Kingdom (UK). The list of countries may be further amended on a case-by-case basis. Where there is no national association in the respective countries individual companies may be admitted to full membership. Those companies must be prepared to update the association on developments within their country and to represent the views of the Association in discussions with the national authorities.
- (3) Membership is only open to associations or companies directly concerned with the interests of wholesale trade, international trade and or manufacturing, including packaging, of tea, herbal infusions and extracts thereof, provided that the material is not exclusively used as medicine. Companies must have a production facility in a member country of the EU, Iceland, Norway, Switzerland or the UK.
- (4) Associated membership is open to herbal infusions and tea associations from other countries than EU countries, Iceland, Norway, Switzerland and the UK. Furthermore, it is open to companies and organisations which promote the common interests of the herbal infusions and tea industry, such as producer organisations. For the later a case-by-case decision applies.
- (4a) Observer status is open to tea and herbal infusions associations and companies from other countries than EU Member States, Iceland, Norway, Switzerland and the UK who are not associated members. Observer benefits are restricted in comparison with full or associate members as shown in Annex VII. Observer status is granted for two years and can be renewed by decision of the Executive Board. Observers must adhere to the same rules and obligations as members.
- (5) The office of the association and its secretariat is situated in one of the EU countries, as decided by the General Assembly. The working language is English.
- (6) The financial year is the calendar year.

### Article 2

#### **Objectives**

The main objectives of the association are:

- (1) to establish a common general policy and to make known and protect effectively, by collective discussion and action, the viewpoint of the tea and herbal infusions trade and industry;



- (2) to make contact with current EU-officials and representatives of other organisations and to collaborate constructively with them in any matter related to the tea and herbal infusions trade and industry;
- (3) to ensure a close contact between members and to inform them about any matters related to tea and herbal infusions trade and industry, especially on the development of EU legislation;
- (4) to promote the Compendium of Guidelines for Tea and the Compendium of Guidelines for Herbal and Fruit Infusions as standards defining best practice for products in the sector;
- (5) to generally perform everything which is in the interest of the tea and herbal infusions trade and industry.

The Association and all its members comply with the Competition Law Guidelines adopted by the Association.

### **Article 3 Organisation**

The governing bodies of the association are:

- a) the General Assembly;
- b) the Executive Board;
- c) the Tea Subgroup;
- d) the Herbal Infusions Subgroup.

### **Article 4 General Assembly**

- (1) The General Assembly consists of national association and company member delegations. If there is more than one company from one country these companies form a single member delegation for each product group of tea and herbal infusions. Each member may be represented at the General Assembly by a member delegation consisting of one or more individuals. The size of each member's delegation is at the discretion of the member.
- (2) The General Assembly is to be held at least once a year and will meet as often as the interests of the association necessitate. The notice convening the meeting, which must contain the agenda, shall be issued at least three weeks before the date of the General Assembly. In case of urgency this notice can be reduced to one week.
- (3) Only full members are entitled to vote. Votes may be cast by those present or by proxy vote sent to the Secretary General in writing prior to the meeting and then indicated in the meeting.
- (4) There shall be one vote available per delegation per product group per country. Delegations representing members who have only subscribed to the Tea Subgroup or the Herbal Infusions Subgroup have one vote, members who have subscribed to both subgroups have two votes.
- (5) The meeting will only be valid if a quorum representing at least five eighths of the full members is represented. The decisions of the General Assembly require a two thirds majority on all questions.
- (6) In case members are asked to vote by mail, a subject for decision will be regarded as accepted by those members who have not submitted a negative opinion to the Secretariat within one month's time.



- (7) The General Assembly has the following powers, notably:
- a. to propose subjects for initiation;
  - b. to approve the activities of the Executive Board and monitor the activities of the subgroups;
  - c. to decide on the admission of members as well as observers and on the cancellation of membership;
  - d. to decide on amendments of the association's statutes and to decide on its dissolution;
  - e. to elect the members of the Executive Board as provided in Art. 5;
  - f. to appoint an Honorary or Professional Auditor;
  - g. to appoint the Secretary General;
  - h. to approve the Annual Accounts at the Annual General Assembly, to decide on the budget allocation for basic activities granted to the Tea and Herbal Infusions Subgroups and to approve any change of subscription for the financial year;

#### **Article 5 Executive Board**

- (1) The Executive Board is formed of the President, the Vice-President, the Treasurer, the Chairmen of the Tea Subgroup and the Herbal Infusions Subgroup and the Secretary General.
- (2) The President is notably in charge of organisation, effectiveness and political lobbying. Apart from backing-up the President, the Vice-President is in charge of crisis management.
- (3) In addition to any further powers, which may be accorded by the General Assembly, the Executive Board has the following powers:
- a. to represent the agreed policies of the association;
  - b. to guarantee the balance of interests of the two product groups tea and herbal infusions;
  - c. to ensure administration and finance of the organisation, including the preparation and submission of annual accounts, the budget and proposals of subscription changes to the General Assembly;
  - d. to decide whether an applicant fulfils the requirements for membership or observer status and to renew the observer status;
  - e. to carry out decisions taken by the General Assembly, unless this is delegated to the Secretary General;
  - f. to take any urgent measure with the object of defending the general interests of the Association;
  - g. to establish special Committees and Working groups as far as common subjects for tea and herbal infusions are concerned.
- (4) Decisions of the Executive Board require a unanimous vote. The Secretary General is not entitled to vote.



## **Article 6**

### **Tea and Herbal Infusions Subgroups**

- (1) The Tea and Herbal Infusions Subgroups consist of member associations and companies who are members of the Association and have subscribed to the respective subgroup.

Furthermore, a company can become a member in a subgroup if it is a (full or associated) member of a national association which joins the Association. In addition, multinational companies have to be "significant" contributors to the European Association and be members of at least 1 national association. The Executive Board evaluates whether the contribution is "significant" in the concrete case. Applications of associated members of national associations will be considered by the subgroup in a case-by-case decision to ensure that the associated member is prepared to contribute appropriately to the work of the subgroup.

- (2) The members of the subgroup elect their Chairmen and nominate them as candidates for the Executive Board. The Chairmen are elected for 2 years. The mandate can be renewed.
- (3) For decisions concerning internal matters of the subgroups, decisions require simple majority. Each full member of the subgroup has one vote. Associated members joining a subgroup have no voting rights.
- (4) The subgroups have the following powers and obligations:
- a. to perform generally everything which is in the special interest of the tea or herbal infusions subgroup respectively; all actions taken have to be in line with the general policy of the Association;
  - b. to ensure financing of the subgroup, including the preparation and submission of special budgets and proposals of subscription changes to the subgroup;
  - c. to establish special working groups;
  - d. to give an annual summary report on their activities to the General Assembly.

## **Article 7**

### **Office of the Executive Board Members**

The President, the Vice-President and the Treasurer should not come from the same country, national association or company. There is no such requirement for the Chairmen of the Tea and Herbal Infusions Subgroups.

The members of the Executive Board are elected for the duration of two years. The mandate of the President, the Vice-President and the Treasurer can be renewed once, or more often at the discretion of the General Assembly. In order to ensure the proper functioning of the association and continuity in the work, the 2 years' term of the President and the Vice-President shall overlap by 1 year. The Treasurer is elected in parallel to the President. The two Chairmen of the Tea and Herbal Infusions Subgroups are appointed in parallel to the Vice-President.

In addition to any further powers, which may be accorded by the General Assembly, the President has the power to take any urgent action with the objective of defending the general interests of the Association. If time permits, he should act in agreement with the other members of the Executive Board.

## **Article 8**

### **Administration**



The administrative work of the association will be carried out where the Secretariat is situated.

### **Article 9 Resignation and Cancellation of membership**

- (1) Each member or associate member can resign from the Association by means of a formal written declaration tendered to the Secretary General at least twelve months before the end of the financial year when the membership also ends.
- (2) The resigning member remains bound by his financial obligations for the time of his membership
- (3) On decision of the General Assembly, a membership may be cancelled if the member has failed to pay the annual subscription within three months' time after the receipt of the invoice from the Association's Secretariat. Paragraph 2 will apply accordingly.
- (4) If any member of the Association breaks any of these statutes, or shall be guilty of conduct, which in the opinion of the members of the Association makes them unfit to continue as a member of the Association, members may vote in the General Assembly on cancellation of their membership.

### **Article 10 Revision of Statutes**

The present statutes can be modified only by means of a General Assembly provided that one month's notice of the proposal shall have been given in writing and circulated. In order to be effective any modification must receive a three quarters majority.

Amendments of the annexes are not regarded as modification of the statutes. Editorial changes are possible at any time.

### **Article 11 Dissolution**

Any proposal for winding up the Association can be made by any full member and must be forwarded for decision by the General Assembly. In order to be effective any such proposal must receive unanimity of those entitled to vote at a General Assembly. Any notice of a meeting having on its agenda the winding-up of the organisation must be addressed at least three months in advance, by registered letter, to each of the members.

### **Annexes**