

Commission Regulation (EC) No 1121/2009 of 29 October 2009 laying down detailed rules for the application of Council Regulation (EC) No 73/2009 as regards the support schemes for farmers provided for in Titles IV and V thereof (repealed)

TITLE II

SPECIFIC RULES CONCERNING TITLE IV OF REGULATION (EC) No 73/2009

CHAPTER 10

Beef and veal payments

Section 1

Special premium

Article 50

Applications

1 In addition to the requirements under the integrated system, each application for direct payments as referred to in Article 19 of Regulation (EC) No 73/2009 as regards the special premium provided for in this Chapter shall contain:

- a the breakdown of the number of animals by age bracket;
- b a reference to the passports or administrative documents accompanying the animals which are the subject of the application.

2 Applications may only be submitted in respect of animals which on the date of commencement of the retention period referred to in Article 53 are:

- a in the case of bulls, not less than 7 months old;
- b in the case of steers:
 - (i) not less than 7 months nor more than 19 months old in the case of the first age bracket;
 - (ii) at least 20 months old in the case of the second age bracket.

Article 51

Grant of premium

Animals which have not qualified for the special premium on account of the application of the proportional reduction provided for in Article 110(4) of Regulation (EC) No 73/2009 may no longer be the subject of an application for the same age bracket and shall be considered to have been the subject of payment of the premium.

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1121/2009 (repealed), Section 1. (See end of Document for details)

Article 52

Passports and administrative documents

1 The competent authorities of the Member State shall ensure that passports referred to in Article 6 of Regulation (EC) No 1760/2000 or equivalent national administrative documents referred to in Article 110(3)(b) of Regulation (EC) No 73/2009 guarantee that only one premium is granted per animal and per age bracket.

Member States shall assist one another, as necessary, to this end.

2 Member States may provide that the national administrative document referred to in paragraph 1 shall take the form of:

- a a document accompanying each individual animal;
- b a comprehensive list, held by the farmer, containing all the information required for the administrative document, on condition that the animals concerned remain, from the date on which the first application is made, with the same farmer until they are placed on the market for the purpose of being slaughtered;
- c a comprehensive list, held by the central authorities, containing all the information required for the administrative document, on condition that the Member State or region of a Member State availing itself of this possibility carries out on-the-spot checks on all the animals covered by an application, checks the movements of those animals and makes a distinctive mark on each animal checked which the farmers shall be required to permit;
- d a comprehensive list, held by the central authorities, containing all the information required for the administrative document, on condition that the Member State takes the measures necessary to ensure that the premium is not granted twice for the same age bracket and provides information as to the premium status of each animal immediately upon request.

3 Member States which decide to avail themselves of one or more of the possibilities provided for in paragraph 2 shall notify the Commission thereof in due time and forward to it the relevant implementing provisions.

Article 53

Retention period

The duration of the retention period referred to in Article 110(3)(a) of Regulation (EC) No 73/2009 shall be 2 months, starting on the day following that on which the application is submitted.

However, Member States may provide that other starting dates may be set by the farmer on condition that they do not begin more than 2 months following the day on which the application is submitted.

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Article 54

Regional ceiling

1 Where the application of the proportional reduction provided for in Article 110(4) of Regulation (EC) No 73/2009 gives a number of eligible animals which is less than a whole number, there shall be granted in respect of the decimal part a corresponding fraction of the unit amount of the premium. For this purpose, account shall be taken of the first decimal place only.

2 Where Member States decide to introduce different regions within the meaning of Article 109(a) of Regulation (EC) No 73/2009, or to modify the existing regions within their territory, they shall inform the Commission of their decision before 1 January of the year concerned, giving a definition of the region and the ceiling set. Any subsequent modification shall be notified to the Commission before 1 January of the year concerned.

Article 55

Limits on the number of animals per holding

1 Where Member States decide to amend the limit of 90 heads of cattle per holding and per age bracket referred to in Article 110(1) of Regulation (EC) No 73/2009, or to derogate from it, they shall inform the Commission before 1 January of the calendar year concerned.

Where, moreover, Member States fix a minimum number of animals per holding, below which the proportional reduction will not be applied, they shall inform the Commission before 1 January of the calendar year concerned.

2 Any subsequent amendment in the application of paragraph 1 shall be notified to the Commission before 1 January of the year concerned.

Article 56

Granting of the premium at the time of slaughter

1 Member States may grant the special premium at the time of slaughter as follows:

- a in the case of bulls, for the single age bracket;
- b in the case of steers, for the first or second age bracket or by combining the granting of the premiums for the two age brackets.

2 Member States which decide to grant the special premium at the time of slaughter in accordance with paragraph 1 shall provide that the premium is also to be granted when eligible animals are being dispatched to another Member State or being exported to a third country.

3 Where Member States decide to grant the special premium at the time of slaughter in accordance with paragraph 1 of this Article, this Section and Article 77 and Article 78(1) and (2) shall apply *mutatis mutandis* to the grant of the premium.

4 In addition to the information referred to in Article 78(1), aid applications shall indicate whether the animal is a bull or a steer, and shall be accompanied by a document containing the details required for the purposes of Article 52. That document shall be one of the following, at the choice of the Member State:

- a the passport or a copy of the passport where the type used consists of several copies;

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- b a copy of the passport where the type of passport used consists of one copy only which must be returned to the competent authority referred to in Article 6 of Regulation (EC) No 1760/2000; in that case the Member State shall take steps to ensure that the information contained in the copy corresponds to the original;
- c the national administrative document where the passport is not available, under the conditions laid down in Article 6 of Regulation (EC) No 1760/2000.

Member States may suspend the application of the national administrative document. In that case they shall take the measures necessary to ensure that the premium is not granted twice for the same age bracket for animals which have been the subject of intra-Community trade.

Where the computerised databases as provided for in Article 3(b) of Regulation (EC) No 1760/2000 contain, to the satisfaction of the Member State, the information necessary to ensure that one premium only is granted for each animal and each age bracket, the aid application need not be accompanied by the document referred to in the first subparagraph of this paragraph.

By way of derogation from the first subparagraph of this paragraph, where Member States apply the option referred to in the first subparagraph of Article 78(2), they shall take the measures necessary to ensure that the farmer can determine the animals for which he is requesting a special premium.

5 In the case of bulls, proof of slaughter shall specify the carcass weight.

6 Where the animal is dispatched, proof of dispatch shall be provided by means of a statement by the consignor indicating the Member State of destination of the animal.

In that case, aid applications shall include:

- a the name and address of the consignor (or an equivalent code);
- b the identity number of the animal;
- c a statement that the animal is not less than 9 months old.

Aid applications shall be submitted before the animal leaves the territory of the Member State concerned and proof of dispatch shall be submitted within 3 months from the date of the animals leaving the territory of the Member State concerned.

Article 57

Details of the grant system

1 In case of the application of Article 56 and by way of derogation from Article 53, the premium shall be paid to farmers who have kept animals for a minimum retention period of 2 months ending less than 1 month before the date of slaughter or consignment or ending less than 2 months before the date of export.

In the case of steers, payment of the premium shall be subject to the following rules:

- a the premium in respect of the first age bracket shall be paid only if the farmer has kept the animal for a period of not less than 2 months between the time when the animal was not less than 7 months old and the time when it was less than 22 months old;
- b the premium in respect of the second age bracket may be paid only if the farmer has kept the animal aged not less than 20 months for a period of not less than 2 months;
- c the premiums in respect of the two age brackets may be paid together only if the farmer has kept the animal for not less than 4 consecutive months in compliance with the age requirements laid down in points (a) and (b);

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d the premium in respect of the second age bracket only may be paid if the animal was dispatched from another Member State when it had reached 19 months.

2 The carcase weight shall be established on the basis of a carcase within the meaning of Article 2 of Council Regulation (EC) No 1183/2006⁽¹⁾.

Where the carcase presentation differs from that definition, the corrective factors set out in Annex III to Commission Regulation (EC) No 1249/2008⁽²⁾ shall apply.

Where slaughter takes place in a slaughterhouse which is not subject to the application of the Community grading scale for carcasses of adult bovine animals, Member States may permit the weight to be established on the basis of the live weight of the slaughtered animal. In such cases the carcase weight shall be considered to be equal to or greater than 185 kilograms if the live weight of the slaughtered animal was equal to or greater than 340 kilograms.

Article 58

Notification

Member States shall notify the Commission before the start of the calendar year concerned of their decision, or any amendments thereto, concerning the application of Article 56 and the relevant procedures.

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- (1) OJ L 214, 4.8.2006, p. 1.
- (2) OJ L 337, 16.12.2008, p. 3.

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