
Status: Point in time view as at 23/05/2014.

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ANNEX I

QUALITY REQUIREMENTS

Aid should be granted only for the storage of products of sound and fair marketable quality, of Community origin and for which quality requirements have to be laid down.

Levels of radioactivity in the products eligible for private storage aid may not exceed the maximum levels permitted, where applicable, under Community rules. The level of radioactive contamination of the products shall be monitored only if the situation so requires, and during the requisite period. Where necessary, the duration and scope of checks shall be determined in accordance with the procedure referred to in Article 195(2) of Regulation (EC) No 1234/2007.

I. Meat

Private storage aid shall be granted only for meat fulfilling the following criteria:

- (a) beef classified in accordance with the Community scale for the classification of carcasses laid down in Council Regulation (EC) No 1183/2006⁽¹⁾, and identified in accordance with Article 4(3)(c) of Commission Regulation (EC) No 1669/2006⁽²⁾;
- (b) carcasses of lambs less than 12 months old and cuts thereof derived from animals identified in accordance with Council Regulation (EC) No 21/2004⁽³⁾.
- (c) it shall come from animals raised in the Community since at least the last three months in case of beef, two months in case of pigmeat and sheepmeat and goatmeat and slaughtered not more than 10 days before the date on which the products are placed in storage;
- (d) it shall be derived from animals raised in accordance with the prevailing veterinary requirements;
- (e) it shall have obtained the health mark referred to in Section I of Annex II to Regulation (EC) No 853/2004 of the European Parliament and of the Council⁽⁴⁾;
- (f) it shall have no characteristics rendering it unfit for storage or subsequent use;
- (g) it shall not come from animals slaughtered as a result of emergency measures;
- (h) it shall be placed in storage in the fresh state and stored in the frozen state.

[^{F1}II. Cheese with PDO/PGI

Private storage aid shall be granted only for cheese benefiting from a protected designation of origin (PDO) or from a protected geographical indication (PGI) which on the day when the storage contract commences has a minimum age corresponding to the period of maturation laid down in the product specification referred to in Article 7 of Regulation (EU) No 1151/2012 of the European Parliament and of the Council⁽⁵⁾ for that cheese as it will be marketed after the storage under contract increased by the maturing period beyond this period that contributes to increasing the value of the cheese.

Where a period of maturation is not laid down in the product specification referred to in Article 7 of Regulation (EU) No 1151/2012, the cheese should on the day when the storage contract starts have a minimum age corresponding to the period of maturation that contributes to increasing the value of the cheese.

Furthermore, the cheese shall comply with the following requirements:

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- (a) each lot weighs at least 1 tonne;
- (b) it is indelibly marked with an indication, which may be encoded, of the undertaking in which it was manufactured and with the date of manufacture;
- (c) it bears the date of entry into storage;
- (d) it is stored as whole cheese in the Member State where the cheese is produced and in which it qualifies to bear the protected designation of origin or protected geographical indication under Regulation (EU) No 1151/2012; and
- (e) it has not been the subject of a previous storage contract.

Member States may waive the obligation to indicate the date of entry into store on the cheese provided that the store manager undertakes to keep a register in which the particulars referred to in the second paragraph under (b) are entered on the date of entry into store.

Textual Amendments

- F1** Substituted by [Commission Delegated Regulation \(EU\) No 501/2014 of 11 March 2014 supplementing Regulation \(EU\) No 1308/2013 of the European Parliament and of the Council by amending Commission Regulation \(EC\) No 826/2008 as regards certain requirements related to the agricultural products benefiting from private storage aid.](#)

III. Butter

Private storage aid shall be granted only for butter:

- (a) produced from cream obtained directly and exclusively from cow's milk of a minimum milkfat content, by weight, of 80 %, a maximum milk solids-non-fat content, by weight, of 2 % and a maximum water content, by weight, of 16 %;
- (b) produced during the 60 days preceding the day of application or the day of submission of the tender; and
- (c) for which minimum quantity for applications or tenders for aid is of 10 tonnes.

The packaging of the butter shall show at least the following particulars, which may be encoded, where appropriate:

- (a) the number identifying the factory and the Member State of production;
- (b) the date of production;
- (c) the date of entry into storage;
- (d) the production batch number;
- (e) the net weight.

Member States may waive the obligation to indicate the date of entry into store on the packaging provided that the store manager undertakes to keep a register in which the particulars referred to in the second paragraph are entered on the date of entry into store.]

IV. Sugar

Sugar for which a tender or application is presented shall be:

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- (a) white sugar in crystal form in bulk and/or in big bags (800 kg or more) and/or in 50 kg bags;
- (b) produced within a quota of the marketing year in which the tender or application is made with the exclusion of white sugar withdrawn, carried forward or offered to public intervention;
- (c) of sound and fair marketable quality, free-flowing, with a moisture content not exceeding 0,06 %.

[^{F2}V. Skimmed milk powder

Private storage aid shall be granted only for skimmed milk powder made from cow's milk which:

- (a) contains no more than 1,5 % fat and 5 % water and has a protein content of the non-fat dry matter of at least 34 %;
- (b) has been produced during the 60 days preceding the day of application or the day of submission of the tender;
- (c) is stored in bags with a net content of 25 kg or in 'big bags' weighing no more than 1 500 kg showing at least the following particulars, which may be encoded, where appropriate:
 - (i) the number identifying the factory and the Member State of production;
 - (ii) the date of production;
 - (iii) the date of entry into storage;
 - (iv) the production batch number;
 - (v) the net weight; and
- (d) for which minimum quantity for applications or tenders for aid is of 10 tonnes.

Member States may waive the obligation to indicate the date of entry into store on the packaging provided that the store manager undertakes to keep a register in which the particulars referred to in the first paragraph are entered on the date of entry into store.

Textual Amendments

- F2** Inserted by [Commission Delegated Regulation \(EU\) No 501/2014 of 11 March 2014 supplementing Regulation \(EU\) No 1308/2013 of the European Parliament and of the Council by amending Commission Regulation \(EC\) No 826/2008 as regards certain requirements related to the agricultural products benefiting from private storage aid.](#)

VI. Long Flax Fibre

Private storage aid shall be granted only for long flax fibre obtained by complete separation of the fibres and the woody parts of the stalk that are at least 50 cm long on average after scutching and are arranged in parallel strands in bundles, sheets or slivers and for which the minimum quantity for applications or tenders for aid is of 2 000 kg.

Long flax fibres shall be stored in bales on which may be encoded, where appropriate:

- (a) the number identifying the factory and the Member State of production;

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- (b) the date of entry into storage;
- (c) the net weight.]

[^{F1}ANNEX II

Butter has to be produced from cream obtained directly and exclusively from cow's milk produced in the Union. Skimmed milk powder has to be made from cow's milk produced in the Union.

Compliance with the first paragraph can be substantiated by proof that the butter or skimmed milk powder was produced in an undertaking approved in accordance with point 1(a), (b) and (c) of Part III of Annex IV to Commission Regulation (EU) No 1272/2009⁽⁶⁾ which is subject to checks verifying the requirements referred to in the first paragraph, or by another appropriate proof testifying compliance with the first paragraph.]

ANNEX III

DATA REPORTING

A.Olive oil

- (a) No later than every Wednesday, Member States shall send the Commission the average prices recorded on their main representative markets the preceding week for the various categories of oil listed in Annex XVI to Regulation (EC) No 1234/2007.
- (b) [^{F3}Before 15 September the Member States shall send to the Commission for the preceding marketing year data on the final production figures and the total internal consumption of olive oil and on end-of-year stocks.]
[^{F4}.....]
- (c) [^{F5}From October to May of each marketing year, no later than the 15th day of each month the producing Member States shall notify the Commission:
 - (i) of a monthly estimate of quantities of olive oil produced since the start of the marketing year up to and including the preceding month;
 - (ii) of an estimate of the total production and internal consumption of olive oil for the whole marketing year and an estimate of the end-of-marketing-year stocks.]
- (d) Member States shall establish the data-collection system they deem to be most appropriate for obtaining and preparing the notifications referred to in points (b) and (c) and they shall specify, as appropriate, the data-communication obligations of the olive sector operators concerned.
- (e) The data referred to in points (a), (b) and (c) shall be sent on the forms provided by the Commission.
- (f) The Commission may use other sources of information.

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Textual Amendments

- F3** Substituted by Commission Implementing Regulation (EU) No 65/2013 of 24 January 2013 amending Annex III to Regulation (EC) No 826/2008 laying down common rules for the granting of private storage aid for certain agricultural products.
- F4** Deleted by Commission Implementing Regulation (EU) No 1333/2013 of 13 December 2013 amending Regulations (EC) No 1709/2003, (EC) No 1345/2005, (EC) No 972/2006, (EC) No 341/2007, (EC) No 1454/2007, (EC) No 826/2008, (EC) No 1296/2008, (EC) No 1130/2009, (EU) No 1272/2009 and (EU) No 479/2010 as regards the notification obligations within the common organisation of agricultural markets.
- F5** Substituted by Commission Implementing Regulation (EU) No 1333/2013 of 13 December 2013 amending Regulations (EC) No 1709/2003, (EC) No 1345/2005, (EC) No 972/2006, (EC) No 341/2007, (EC) No 1454/2007, (EC) No 826/2008, (EC) No 1296/2008, (EC) No 1130/2009, (EU) No 1272/2009 and (EU) No 479/2010 as regards the notification obligations within the common organisation of agricultural markets.

B. Beef

Calculation of the average Community market price for carcasses of adult male bovine animals, expressed as grade R3.

- (a) The average national market price of category A, expressed as grade R3, calculated in accordance with the third indent of Article 3(a) of Regulation (EC) No 1669/2006.
- (b) The average national market price of category C, expressed as grade R3, calculated in accordance with the third indent of Article 3(a) of Regulation (EC) No 1669/2006.
- (c) The average national market price of category A/C = weighted average of (a) and (b) with weighting to be based on the proportion of slaughterings in each category to the total national slaughterings of category A/C.
- (d) The average Community market price of category A/C = weighted average of (c) with weighting based on the proportion of total slaughterings of category A/C in each Member State to total slaughterings of category A/C in the Community.

ANNEX IV

CONDITIONS APPLICABLE TO OPERATORS IN THE OLIVE OIL SECTOR

Olive oil operators shall fall into one of the following categories:

- (a) a producers' organisation comprising at least 700 olive growers if it acts as an organisation for the production and marketing of olives and olive oil;
- (b) a producer organisation representing at least 25 % of olive growers or of the olive oil production in the region in which it is situated;
- (c) an association of producer organisations from various economic areas and made up of at least 10 producer organisations as referred to in (a) and (b) above or a number of organisations representing at least 5 % of the olive oil production of the Member State concerned;

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- (d) a mill whose facilities can extract at least two tonnes of oil in an eight-hour working day and which has produced in the two preceding marketing years at total of at least 500 tonnes of virgin olive oil;
- (e) a packaging firm with a capacity, in the territory of a single Member State, equal at least to six tonnes of oil put up per eight-hour working day, and which has put up over the two preceding marketing years a total of at least 500 tonnes of olive oil.

Should one or more of the organisations producing or marketing olives and olive oil be a member or members of the organisation referred to in point (a) of the first subparagraph, the olive growers involved in such a grouping shall be individually considered when calculating the minimum number of 700 growers.

Olive oil operators shall not be eligible if they are:

- (a) subject to proceedings by the competent authorities for infringements of Regulations (EC) No 865/2004 and (EC) No 1234/2007;
- (b) has been penalised for infringing the production aid scheme provided for in Regulation No 136/66/EEC of the Council⁽⁷⁾ in the 2002/2003, 2003/2004 and 2004/2005 marketing years;
- (c) has been penalised for infringing the scheme to fund the activities of oil operators' organisations provided for in Council Regulation (EC) No 1638/98⁽⁸⁾ in the 2002/2003, 2003/2004 and 2004/2005 marketing years.

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- (1) OJ L 214, 4.8.2006, p. 1.
- (2) OJ L 312, 11.11.2006, p. 6.
- (3) OJ L 5, 9.1.2004, p. 8.
- (4) OJ L 139, 30.4.2004, p. 55; corrected by OJ L 226, 25.6.2004, p. 22.
- (5) [^{F1}Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1.)]
- (6) [^{F1}Commission Regulation (EU) No 1272/2009 of 11 December 2009 laying down common detailed rules for the implementation of Council Regulation (EC) No 1234/2007 as regards buying-in and selling of agricultural products under public intervention (OJ L 349, 29.12.2009, p. 1).]
- (7) OJ 172, 30.9.1966, p. 3025/66.
- (8) OJ L 210, 28.7.1998, p. 32.

Textual Amendments

- F1** Substituted by Commission Delegated Regulation (EU) No 501/2014 of 11 March 2014 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council by amending Commission Regulation (EC) No 826/2008 as regards certain requirements related to the agricultural products benefiting from private storage aid.

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