

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.

II. Cheeses

1. Grana Padano, Parmigiano-Reggiano and Provolone cheeses

Private storage aid shall be granted only for cheeses:

- (a) of the minimum age provided for in Article 28(b) of Regulation (EC) No 1234/2007 on the date when storage under the contract commences and which have not been the subject of a previous storage contract;
- (b) for which each lot weights at least two tonne;
- (c) indelibly stamped with:
 - (i) a mark issued by the agency appointed by the Member State;
 - (ii) the number identifying the factory which has manufactured them;

- (iii) the month of manufacture, which may be in code;
- (iv) a special storage mark put on the cheeses when they are taken into storage in order to distinguish them from those not covered by a storage contract.

2. Long-keeping cheeses, Pecorino Romano, Kefalotyri and Kasseri

Private storage aid shall be granted only for:

- (a) whole cheeses;
- (b) cheeses manufactured in the Community and which:
 - (i) are indelibly marked with an indication of the undertaking in which they were manufactured and of the day and month of manufacture; the above details may be in code form;
 - (ii) have undergone quality tests which establish their classification after maturing.

III. Butter

Private storage aid shall only be granted for butter produced in an undertaking approved in accordance with Article 4(1)(a), (b) and (c) of Regulation (EC) No 105/2008, during the 28 days preceding the day of application or the day of submission of the tender.

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 word 'salted' in the case of butter as referred to in the Article 28(a)(ii) of Regulation (EC) No 1234/2007;
- (f) the net weight.

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

IV. Sugar

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

- (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 %.

ANNEX II

BUTTER STORED IN ANOTHER MEMBER STATE
THAN THE MEMBER STATE OF PRODUCTION

Where the butter is stored in a Member State other than the Member State of production the conclusion of the storage contract shall be subject to presentation of a certificate.

The certificate shall contain the number identifying the factory and the Member State of production, the date of production and the production batch number and confirm that the butter has been produced in an approved undertaking which is subject to checks verifying that the butter is produced from cream or milk within the meaning of Article 6(2)(b) and (d) of Regulation (EC) No 1234/2007.

The certificate shall be supplied by the competent body of the Member State of production within 50 days of the date of the butter's entry into storage.

In the case where the butter is stored in a Member State other than the Member State of production storage contracts shall be concluded within 60 days of the date of registration of the application subject, where appropriate, to subsequent confirmation of the eligibility of the butter as referred to in Article 36(2) second subparagraph. In the case where the eligibility is not confirmed, the contract concerned shall be considered as null and void.

Where the Member State of production has performed the checks on the nature and composition of the butter, the certificate shall contain the results of those checks and confirm that the product concerned is butter within the meaning of the first subparagraph of Article 28(a)(i) and (ii) of Regulation (EC) No 1234/2007. In that case, the packaging shall be sealed by means of a numbered label issued by the competent body of the Member State of production. The certificate shall contain the number of the label.

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) Before 31 August, the Member States shall send the Commission a forecast of the total production of olive oil and table olives for the current marketing year and a final estimate of the total production of olive oil and table olives for the preceding marketing year.
- (c) From September to May of each marketing year, Member States shall send the Commission, no later than the 15th day of each month, a month-per-month estimate of the olive oil and table olives produced since the start of the marketing year in question, as well as an update of the forecast mentioned in point (b).
- (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.
- 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;
- (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⁽⁵⁾ 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⁽⁶⁾ in the 2002/2003, 2003/2004 and 2004/2005 marketing years.

Status: This is the original version (as it was originally adopted).

- (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) OJ 172, 30.9.1966, p. 3025/66.
- (6) OJ L 210, 28.7.1998, p. 32.