

## ANNEX IV

### BUTTER

#### PART I

##### **Eligibility criteria for butter**

1. The intervention agency shall buy in only butter which meets the requirements of the first subparagraph of Article 10(1)(e) of Regulation (EC) No 1234/2007 of points 3, 4, 5 and 6 of this part and of Article 28(1) of this Regulation.
2. The criteria for approving the undertakings referred to in Article 10(1)(e) of Regulation (EC) No 1234/2007 are listed in Part III of this Annex.
3. The intervention agency shall check the quality of butter using the methods described in Part IV of this Annex and on the basis of samples taken in accordance with the rules set out in Part V of this Annex. However, Member States may, subject to written agreement of the Commission, set up a system of self checking under their own supervision in respect of certain quality requirements and in the case of certain approved undertakings.
4. Levels of radioactivity in butter may not exceed the maximum levels permitted, where applicable, under Community rules.

The level of radioactive contamination of butter shall be monitored only if the situation so requires, and during the requisite period.

5. The butter shall have been made during the 31 days preceding the day on which the competent body received the offer to sell at fixed price or, in the case of tenders 31 days preceding the closing date of the tendering sub-period.
6. Where butter is offered to intervention in a Member State other than that in which it was produced, buying-in shall be subject to the presentation of a certificate supplied by the competent body of the Member State of production.

The certificate shall be presented to the competent body of the purchasing Member State not later than 35 days after the day on which the offer was received or after the closing date of the tender and shall contain the information referred to in Article 28(1)(a), (b) and (d) of this Regulation, and a confirmation that the butter has been produced directly and exclusively from pasteurised cream within the meaning of Article 6(2) of Regulation (EC) No 1234/2007, in an approved undertaking in the Community.

7. Where the Member State of production has performed the checks referred to in point 3 of this part, the certificate shall also contain the results of those checks and confirm that the product concerned is butter fulfilling the requirements of the first subparagraph of Article 10(1)(e) of Regulation (EC) No 1234/2007. In that case, the packaging referred to in Part VI(6) of this Annex must 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.