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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Regulation (EC) No 1234/2007 as regards buying-in and selling of agricultural products under public intervention (repealed)

# TITLE I

# COMMON RULES AND CONDITIONS RELATED TO PUBLIC INTERVENTION

# CHAPTER I

Scope, definition and approval of intervention storage places

Article 1	Scope and definition
Article 2	Intervention storage places
Article 3	Requirements for storage places

# CHAPTER II

# Access to public intervention

Article 4	Eligibility of operators
Article 5	Procedure for submitting offers or tenders

# TITLE II PROCEDURE OF BUYING-IN

# Article 6 Type of procedure for buying-in

# CHAPTER I

# General rules

#### Section I

# Common conditions for buying-in

Article 7	Eligibility of products
Article 8	Minimum quantities of products offered
Article 9	Security
Article 10	Conditions for submission and admissibility of offers and tenders
Article 11	Verification of offers or tenders by the intervention agency

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# Section II

	Specific conditions for buying-in at fixed price
Article 12 Article 13 Article 14	Procedure for buying-in of products at fixed price Notifications to the Commission Measures for respecting the intervention ceilings
	Section III
	Specific conditions for buying-in via a tendering procedure
Article 15 Article 16 Article 17 Article 18 Article 19 Article 20 Article 21 Article 22	Procedure for buying-in of products via a tendering procedure Tendering procedure Submission and admissibility of tenders Notification of the tenders to the Commission Decisions on the basis of tenders Individual decisions on tenders Specific criteria in the beef sector Limitation of buying-in for beef
	CHAPTER II
1	Primary requirements and release or forfeiture of the security
Article 23 Article 24	Primary requirements Release and forfeiture of the security
	CHAPTER III
	Common rules for deliveries
	Section I
	Deliveries
Article 25 Article 26 Article 27 Article 28	Deliveries and delivery orders Specific provisions for the delivery of cereals and rice Specific provisions for the delivery of beef Specific provisions for the delivery of butter and skimmed milk powder
	Section II
	Transport costs
Article 29 Article 30	Transport costs for cereals and rice Transport costs for butter and skimmed milk powder

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# **CHAPTER IV**

# Takeover, initial controls and sampling

Article 31	Conditional takeover
Article 32	Control measures
Article 33	Specific provisions for the takeover in storage place of the
	storekeeper for cereals and rice
Article 34	The takeover record
Article 35	Obligations of the offerer or tenderer
Article 36	Specific condition for beef — boning requirement
	CHAPTER V
	Intervention price, buying-in price and payments
Article 37	Buying-in price for beef
Article 38	Intervention prices and buying-in price for cereals and rice
Article 39	Payments

# TITLE III

# PROCEDURE OF SALE OF PRODUCTS FROM INTERVENTION

# CHAPTER I

# Tendering procedure

Article 40	Opening of the tendering procedure
Article 41	Notice of invitation to tender and arrangements related to the
	invitation to tender
Article 42	Submission and admissibility of tenders
Article 43	Quantity per tender
Article 44	Securities
Article 45	Notification of the tenders to the Commission
Article 46	Decision on the basis of the tenders
Article 47	Individual decisions on tenders
Article 48	Specific rules for the allocation of dairy products and beef
Article 49	Payments
Article 50	Sales by Member States

# CHAPTER II

# Removal from the storage place

Article 51	Removal order
Article 52	Removal of butter and skimmed milk powder

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#### **CHAPTER III**

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Article 53	Primary requirements
Article 54	Release and forfeiture of the security

#### TITLE IV

# PROVISIONS CONCERNING NOTIFICATIONS

Article 55 Intervention agencies and storage places for cereals an	
Article 56 Weekly notifications for cereals and rice	
Article 57 Monthly notifications	
Article 58 Method applicable to notification obligations	

# TITLE V

# AMENDMENTS, REPEALS AND FINAL PROVISIONS

Article 59	Amendment to Regulation (EC) No 562/2005
Article 60	Repeals
Article 61	Entry into force

#### ANNEX I

## CEREALS

### PART I

Eligibility criteria for cereals

# PART II

Minimum quality requirements referred to in Part I

# **PART III**

- 1. DEFINITION OF MATTER OTHER THAN BASIC CEREALS OF UNIMPAIRED QUALITY...
  - 1.1. Broken grains
  - 1.2. Grain impurities
    - (a) Shrivelled grains
    - (b) Other cereals
    - (c) Grains damaged by pests
    - (d) Grains in which the germ is discoloured
    - (e) Grains overheated during drying
    - (f) Mottled grains
  - 1.3. Sprouted grains
  - 1.4. Miscellaneous impurities

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- (a) Extraneous seeds
- (b) Damaged grains
- (c) Extraneous matter
- (d) Husks (cob fragments in the case of maize).
- (e) Ergots
- (f) Decayed grains
- (g) Impurities of animal origin.
- 1.5. Live pests
- 1.6. Mitadiné grains
- 2. SPECIFIC FACTORS TO TAKE INTO CONSIDERATION FOR EACH TYPE OF...
  - 2.1. Durum wheat
  - 2.2. Common wheat
  - 2.3. Barley
  - 2.4. Maize
  - 2.5. Sorghum

# PART IV

Methods used for determining the quality of cereals offered for, or placed in, intervention

# PART V

Reference method for determining matter other than basic cereals of...

- 1. Shake an average sample of 500 g in the case...
- 2. Groups of matter other than basic cereals of unimpaired quality,...
- 3. The apparatus to be used for the operations referred to...

#### PART VI

Standard method of testing for moisture content

- 1. Principle
- 2. Scope
- 3. Apparatus
- 4. Procedure

Drying

- 5. Method of calculation and formulae
- 6. Repetition

# PART VII

Method for determining the non-stickiness and machinability of the dough obtained from common wheat

- 1. Title
- 2. Scope
- 3. Principle

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- 4. Ingredients
  - 4.1. Yeast
  - 4.2. Tap water
  - 4.3. Sugar-salt-ascorbic acid solution
  - 4.4. Sugar solution
  - 4.5. Enzyme active malt flour
- 5. Equipment and apparatus
  - 5.1. Baking room
  - 5.2. Refrigerator
  - 5.3. Balance
  - 5.4. Balance
  - 5.5. Analytical balance
  - 5.6. Mixer
  - 5.7. Proving cabinet
  - 5.8. Open plastic boxes
  - 5.9. Square plastic sheets
  - 5.10. Moulder
- 6. Sampling
- 7. Procedure
  - 7.1. Determination of water uptake
  - 7.2. Determination of malt flour addition
  - 7.3. Reactivation of active dry yeast
  - 7.4. Temperature adjustment of the flour and the dough liquid
  - 7.5. Dough composition
  - 7.6. Mixing
  - 7.7. Dividing and rounding
  - 7.8. Moulding
- 8. Test report
- 9. General remarks
  - 9.1. The formula for the calculation of the quantity of dough...
  - 9.2. The method is not directly applicable to wheat. The procedure...

#### PART VIII

# Determination of the rate of loss of vitreous aspect

- 1. Principle
- 2. Equipment and apparatus
- 3. Procedure
- 4. Expression of results
- 5. Result

## PART IX

Price increases and reductions

for...

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#### PART X

Practical method for determining the reduction to be applied to the price of sorghum by intervention agencies

- 1. Basic data
- 2. Calculation of the reduction

#### PART XI

Calculation of prices increases and reductions

#### PART XII

Methodology of sampling and analyses for cereals

- 1. For each lot of cereals, the quality characteristics shall be...
- 2. The intervention agency shall analyse under its responsibility the characteristics...
- 3. The reference methods to be used for determining the quality...
- 4. The results of the analyses are communicated to the tenderer...
- 5. In cases of dispute, the intervention agency shall have the...

# ANNEX II

RICE

## PART I

Eligibility criteria for paddy rice

#### PART II

Prices increases and reductions

- 1. The price increases and reductions provided for in Article 38...
- 2. The price increases and reductions referred to in point 1...

### **PART III**

Criteria for milling yield

- 1. Basic milling yield
- 2. Price increases and reductions relating to milling yield

PART IV

Maximum percentages

#### PART V

Price reductions for defective grains

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#### PART VI

# Methodology of sampling and analyses for paddy rice

- 1. With a view to verifying the quality requirements as laid...
- 2. Representative samples shall be taken of each part-delivery (by lorry,...
- 3. The control of the radioactivity level is performed only if...
- 4. The results of the analyses are communicated to the offerer...
- 5. In cases of dispute, the intervention agency shall have the...

#### ANNEX III

#### **BEEF**

#### PART I

# Eligibility criteria for beef

- 1. The products listed in Part V of this Annex and...
- 2. Carcases and half-carcases may be bought in only where they:...
- 3. Carcases and half-carcases may be bought in only where they...

#### PART II

# Conversion coefficients

#### PART III

# Conditions and controls for taking over

- 1. Products shall be delivered in consignments of a quantity between...
- 2. Where no preliminary inspection is conducted immediately before loading at...
- 3. A preliminary inspection may be conducted immediately before loading at...
- 4. Preliminary inspection and acceptance of the products offered for intervention...
- 5. The requirements regarding identification, delivery and controls for the takeover...
- 6. Where more than 20 % of a consignment presented is...

# PART IV

# Boning

- I. General conditions governing boning
  - 1. Boning may only be carried out in cutting plants registered...
  - 2. Boned cuts must meet the conditions laid down in Regulation...
  - 3. Boning may not commence before takeover of the consignment concerned...

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- 4. No other meat may be present in the cutting room...
- 5. All boning activities shall take place between 7 a.m. and...

# II. Contracts and specifications

- 1. Boning shall be carried out under contract on terms laid...
- 2. The specifications of the intervention agencies shall lay down the...

# III. Monitoring of boning

- 1. The intervention agencies shall ensure that continuous physical monitoring is...
- 2. Forequarters and hindquarters must be boned separately. In respect of...

# IV. Special conditions governing boning

- 1. During boning, trimming and packing prior to freezing, the internal...
- 2. All labels and foreign matter must be totally removed immediately...
- 3. All bones, tendons, cartilage, neckstrap and backstrap (paddywack) (ligamentum nuchae)...
- 4. Large blood vessels and clots and soiled areas must be...

# V. Packing of cuts

- 1. Cuts shall be packed immediately after boning in such a...
- 2. Polyethylene used to line cartons and polyethylene sheet or bags...
- 3. Cartons, pallets and cages used must meet the conditions laid...

# VI. Storage of cuts

# VII. Costs of boning

# VIII. Time limits

# IX. Rejection of products

- 1. Where the checks specified in Section III, point 1 to...
- 2. When, on the basis of point 1, less than 20...
- 3. By way of derogation from points 1 and 2, where...

#### PART V

# Classification of products

#### BELGIQUE/BELGIË

Carcasses, demi-carcasses: Hele dieren, halve dieren:

### БЪЛГАРИЯ

Трупове, половинки трупове:

## ČESKÁ REPUBLIKA

Jatečně upravená těla, půlky jatečně upravených těl:

# DANMARK

Hele og halve kroppe:

# **DEUTSCHLAND**

Ganze oder halbe Tierkörper:

**EESTI** 

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Rümbad, poolrümbad:

EIRE/IRELAND

Carcases, half-carcases:

ΕΛΛΑΔΑ

Ολόκληρα ή μισά σφάγια:

**ESPAÑA** 

Canales o semicanales:

**FRANCE** 

Carcasses, demi-carcasses:

**HRVATSKA** 

Trupovi, polovice

**ITALIA** 

Carcasse e mezzene:

ΚΥΠΡΟΣ

Ολόκληρα ή μισά σφάγια:

**LATVIJA** 

Liemeņi, pusliemeņi:

LIETUVA

Skerdenos ir skerdenų pusės:

LUXEMBOURG

Carcasses, demi-carcasses:

MAGYARORSZÁG

Hasított test vagy hasított féltest:

MALTA

Karkassi u nofs karkassi:

**NEDERLAND** 

Hele dieren, halve dieren:

ÖSTERREICH

Ganze oder halbe Tierkörper:

**POLSKA** 

Tusze, półtusze:

PORTUGAL

Carcaças ou meias-carcaças

ROMÂNIA

Carcase, jumătăți de carcase

for...

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#### **SLOVENIJA**

Trupi, polovice trupov:

#### **SLOVENSKO**

Jatočné telá, jatočné polovičky:

#### SUOMI/FINLAND

Ruhot, puoliruhot/Slaktkroppar, halva slaktkroppar:

# **SVERIGE**

Slaktkroppar, halva slaktkroppar:

# UNITED KINGDOM

**Great Britain** 

Carcases, half-carcases:

П Northern Ireland

Carcases, half-carcases:

# PART VI

Provisions applicable to carcases, half-carcases and quarters

- 1. Carcases and half-carcases, fresh or chilled (CN code 0201), of...
- 2. For the purposes of this Regulation, the following definitions apply:...
- 3. Products as specified in points 1 and 2 must come...
- 4. Products as specified in point 2(c) and (d) must come...
- 5. Products as specified in points 1 and 2 must be...

# PART VII

Coefficients referred to in Article 21(3)

Formula A

Formula B

# PART VIII

Specifications for intervention boning

#### 1. HINDQUARTER CUTS

- Description of cuts 1.1.
  - 1.1.1. Intervention shank (code INT 11)
  - 1.1.2. Intervention thick flank (code INT 12)
  - 1.1.3. Intervention topside (code INT 13)
  - Intervention silverside (code INT 14) 1.1.4.
  - 1.1.5. Intervention fillet (code INT 15)
  - 1.1.6. Intervention rump (code INT 16)
  - Intervention striploin (code INT 17) 1.1.7.
  - Intervention flank (code INT 18) 1.1.8.
  - Intervention fore-rib (five bone) (code INT 19) 1.1.9.

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#### 2. FOREQUARTER CUTS

- 2.1. Description of cuts
  - 2.1.1. Intervention shin (code INT 21)
  - 2.1.2. Intervention shoulder (code INT 22)
  - 2.1.3. Intervention brisket (code INT 23)
  - 2.1.4. Intervention forequarter (code INT 24)

# 3. VACUUM-PACKING OF CERTAIN INDIVIDUAL CUTS

# PART IX

Provisions applicable to cartons, pallets and cages

#### I. Cartons

- 1. Cartons shall correspond to commercial standards and weight and be...
- 2. Cartons used may not show the name of the slaughterhouse...
- 3. Cartons must be weighed individually after being filled; cartons filled...
- 4. The net weight of cuts per carton may not exceed...
- 5. Only cuts of the same designation identified by their full...
- 6. Cartons must be sealed:
- 7. The intervention agency labels must show the number of the...
- 8. The serial numbers on labels referred to in point 6...
- 9. Cartons must be bound with four straps, two lengthwise and...
- 10. Labels torn during inspection must be replaced by serially numbered...

# II. Pallets and cages

- 1. Cartons relating to different invitations to tender and containing different...
- 2. The location of pallets and cages must be shown on...

#### PART X

Individual prices of rejected intervention cuts for the purposes of the first and second subparagraphs of Part IV, Section IX(2) of this Annex

# PART XI

# Checks on products

- 1. The intervention agencies shall ensure that meat covered by this...
- 2. The storage temperature may not rise above -17 oC.
- 3. Member States shall take all measures necessary to ensure satisfactory...
- 4. During storage, the competent authorities shall conduct regular checks on...
- 5. The competent authorities shall take the necessary measures as regards...

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# ANNEX IV BUTTER

#### PART I

# Eligibility criteria for butter

- 1. The intervention agency shall buy in only butter which meets...
- 2. The criteria for approving the undertakings referred to in Article...
- 3. The intervention agency shall check the quality of butter using...
- 4. Levels of radioactivity in butter may not exceed the maximum...
- 5. The butter shall have been made during the 31 days...
- 6. Where butter is offered to intervention in a Member State...
- 7. Where the Member State of production has performed the checks...

#### PART II

Taking over and initial controls for butter

- 1. The butter shall be put through a trial storage period....
- 2. The intervention agency shall require that the butter be placed...

#### PART III

Criteria for the approval of undertakings referred to in Article 10(1)(e) and (f) of Regulation (EC) No 1234/2007 (common part for butter and skimmed milk powder)

- 1. Undertakings as referred to in Article 10(1)(e) and (f) of...
- 2. To ensure compliance with this Regulation, the competent body shall...
- 3. Approval shall be withdrawn if the preconditions laid down in...
- 4. A report shall be drawn up on the inspections carried...

## PART IV

Compositional requirements, quality characteristics and analytical methods

# PART V

Sampling for chemical and microbiological analysis and sensory evaluation

- 1. Chemical and microbiological analysis
- 2. Sensory evaluation
- 3. Guidelines to be followed where samples show defects

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# ANNEX V SKIMMED MILK POWDER

#### PART I

# Eligibility criteria for skimmed milk powder

- 1. The intervention agency shall buy-in only skimmed milk powder which...
- 2. The criteria for approving the undertakings referred to in Article...
- 3. The intervention agencies shall check the quality of skimmed-milk powder...
- 4. Radioactivity levels in the skimmed-milk powder may not exceed the...
- 5. The skimmed-milk powder must have been manufactured during the 31...
- 6. Where skimmed-milk powder is offered for intervention in a Member...

## PART II

Taking over and initial controls for skimmed milk powder

#### PART III

Criteria for the approval of undertakings referred to in Article 10(1)(e) and (f) of Regulation (EC) No 1234/2007

# PART IV

Compositional requirements, quality characteristics and analytical methods

#### PART V

# Conditions of packaging

- 1. The skimmed-milk powder shall be packed in new, clean, dry...
- 2. The bags shall have at least three layers, which together...
- 3. Bags shall conform to standard EN 770.
- 4. When filling, the powder should be well pressed down. Loose...

## PART VI

Sampling and analysis of skimmed-milk powder offered for intervention

- 1. Samples shall be taken in accordance with the procedure laid...
- 2. Number of packages to be selected for sampling checks:
- 3. Weight of sample: samples of at least 200 g are...
- 4. Grouping of samples: no more than nine samples are to...

for...

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- 5. Analysis of samples: each global sample is to undergo an...
- 6. Where samples show defects: Signature

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- (1) OJ L 299, 16.11.2007, p. 1.
- (2) OJ L 30, 31.1.2009, p. 1.
- (**3**) OJ L 171, 23.6.2006, p. 35.
- (4) OJ L 205, 3.8.1985, p. 5.
- (5) OJ L 95, 14.4.2005, p. 11.
- **(6)** OJ L 9, 12.1.1991, p. 15.
- (7) OJ L 37, 7.2.2001, p. 100.
- (8) OJ L 312, 11.11.2006, p. 6.
- **(9)** OJ L 32, 6.2.2008, p. 3.
- (10) OJ L 192, 19.7.2008, p. 20.
- (11) OJ L 42, 13.2.2009, p. 3.
- (12) OJ L 194, 25.7.2009, p. 22.

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