

Commission Implementing Regulation (EU) 2016/1240 of 18 May 2016
laying down rules for the application of Regulation (EU) No 1308/2013
of the European Parliament and of the Council with regard to public
intervention and aid for private storage (Text with EEA relevance)

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2016/1240, ANNEX IV. (See end of Document for details)

ANNEX IV

BUTTER

[^{F1}A1.

This Annex does not apply in relation to public intervention schemes in England, otherwise than in connection with exceptional market conditions which are the subject of a declaration under section 20 of the Agriculture Act 2020.]

[^{F2}A2. This Annex ceases to apply in relation to public intervention schemes in Scotland, otherwise than in connection with public intervention measures which the appropriate authority takes under Article 219(1) of Regulation (EU) No 1308/2013, for a period of five years beginning on 1 July 2023.]

Textual Amendments

F2 Annex 4 para. A2 inserted (S.) (1.7.2023) by [The Public Intervention and Private Storage Aid \(Amendment and Suspension\) \(Scotland\) Regulations 2023 \(S.S.I. 2023/150\)](#), regs. 1, **9(15)** (with reg. 10)

PART I

Sampling for chemical and microbiological analysis and sensory evaluation

1. Chemical and microbiological analysis

Quantity of butter(kg)	Minimum number of samples(> 100 g)
≤ 1 000	2
> 1 000 ≤ 5 000	3
> 5 000 ≤ 10 000	4
> 10 000 ≤ 15 000	5
> 15 000 ≤ 20 000	6
> 20 000 ≤ 25 000	7
> 25 000	7 + 1 per 25 000 kg or part thereof

Sampling for microbiological analysis must be carried out aseptically.

Up to five samples of 100 g may be combined into one sample for analysis after thorough mixing.

The samples must be taken randomly from different parts of each lot before or at the time of entry into the cold store designated by the paying agency.

Preparation of composite butter sample (chemical analysis):

- (a) using a clean, dry butter trier or similar suitable instrument, extract a core of butter of at least 30 g and place in a sample container. The composite sample must then be sealed and forwarded to the laboratory for analysis;

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- (b) at the laboratory the composite sample is to be warmed in the original unopened container to 30 °C and shaken frequently until a homogeneous fluid emulsion free of unsoftened pieces is obtained. The container should be one half to two thirds full.

Two samples per year per producer offering butter for intervention must be analysed for non-milk fat.

2. Sensory evaluation

Quantity of butter(kg)	Minimum number of samples
1 000 ≤ 5 000	2
> 5 000 ≤ 25 000	3
> 25 000	3 + 1 per 25 000 kg or part thereof

Following a trial storage period of 30 days, samples are to be taken randomly from different parts of each lot between the 30th and the 45th day following delivery of the butter and graded.

[^{F3}Each sample shall be assessed individually. No resampling or re-evaluation is allowed.]

Textual Amendments

- F3** Substituted by [Commission Implementing Regulation \(EU\) 2018/150 of 30 January 2018 amending Implementing Regulation \(EU\) 2016/1240 as regards methods for the analysis and quality evaluation of milk and milk products eligible for public intervention and aid for private storage.](#)

3. Guidelines to be followed where samples show defects

- (a) chemical and microbiological analysis:
- (i) where individual samples are analysed, one sample showing a single defect out of five to 10 samples or two samples each showing a single defect out of 11 to 15 samples may be allowed. Where a sample shows a defect, two new samples must be taken from either side of the sample showing the defect and checked for the parameter in question. Where neither sample meets the specification, the quantity of butter between the original two samples on either side of the sample showing the defect must be rejected from the quantity offered.

Quantity to be rejected where the new sample shows a defect:

- (ii) where composite samples are analysed and found to show defects in respect of one parameter, the quantity represented by the composite sample concerned is to be rejected from the quantity offered. The quantity represented by one composite sample may be determined by subdividing the quantity before samples are taken randomly from each part thereof;
- (b) sensory evaluation: where a sample fails the sensory evaluation, the quantity of butter between two neighbouring samples on either side of the sample failing is to be rejected from the quantity of the lot,
- (c) where samples show a sensory defect and either a chemical or a microbiological defect, the whole quantity is to be rejected.

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[^{F4}PART IA

Methods of analysis of unsalted butter for public intervention

Parameter	Method
Fat ^a	ISO 17189 or ISO 3727 part 3
Water	ISO 3727 part 1
Non-fat solids	ISO 3727 part 2
Fat acidity	ISO 1740
Peroxide value	ISO 3976
Non-milk fat	ISO 17678
Sensory characteristics	ISO 22935 parts 2 and 3 and scoring table hereafter.

^a The method to be applied shall be approved by the paying agency.

Scoring table

Appearance		Consistency		Odour and Flavour	
Points	Remarks	Points	Remarks	Points	Remarks
5	<i>Very good</i> Ideal type Highest quality (equal dry)	5	<i>Very good</i> Ideal type Highest quality (equal spreadable)	5	<i>Very good</i> Ideal type Highest quality (absolutely pure finest odour)
4	<i>Good</i> (no evident defects)	4	<i>Good</i> (no evident defects)	4	<i>Good</i> (no evident defects)
1, 2 or 3	Any defect	1, 2 or 3	Any defect	1, 2 or 3	Any defect]

Textual Amendments

F4 Inserted by Commission Implementing Regulation (EU) 2018/150 of 30 January 2018 amending Implementing Regulation (EU) 2016/1240 as regards methods for the analysis and quality evaluation of milk and milk products eligible for public intervention and aid for private storage.

PART II

Delivery and packaging of butter

- Butter shall be delivered in blocks and packed in new, strong material in such a way as to ensure it is protected throughout transportation, entry into storage, storage and removal from storage.

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2. The packing shall show at least the following particulars, where appropriate in code:
- (a) the approval number identifying the factory and [^{F5}indicating that the butter was produced in the United Kingdom];
 - (b) the date of production;
 - (c) the production batch number and the package number; the package number may be replaced by a pallet number marked on the pallet;
 - (d) the words 'sweet cream' if the butter has a pH of 6,2 or higher.

Textual Amendments

F5 Words in Annex 4 Pt. 2 para. 2(a) substituted (31.12.2020) by [The Market Measures Payment Schemes \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/823\)](#), regs. 1, **6(46)**; 2020 c. 1, **Sch. 5 para. 1(1)**

3. The storekeeper shall keep a register in which the particulars referred to in point 2 are recorded on the date of entry into storage.

Changes to legislation:

There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2016/1240, ANNEX IV.