No L 100/8 Official Journal of the European Communities 28.4.69

# REGULATION (EEC) No 768/69 OF THE COUNCIL

## of 22 April 1969

## fixing standard qualities for common wheat, rye, barley, maize and durum wheat

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to Council Regulation No 120/67/EEC[1] of 13 June 1967 on the common organization of the market in cereals, as last amended by Council Regulation (EEC) No 289/69[2] of 17 February 1969, and in particular Article 2 (4) thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament[3];

Whereas the common prices for common wheat, rye, barley, maize and durum wheat must be fixed with reference to specific standard qualities; whereas these should correspond as far as possible to the average qualities of those cereals harvested within the Community;

Whereas the standard qualities were fixed by Council Regulation No 865/67/EEC[4] of 14 November 1967; whereas the definitions contained in that Regulation of matter other than basic cereals of unimpaired quality have been difficult to apply; whereas they should therefore be made more specific and, moreover, the methods of determining such matter and the moisture content should be supplemented and harmonised;

HAS ADOPTED THIS REGULATION:

### *Article 1*

The standard quality for which the target price and the intervention prices for common wheat are fixed is defined as follows:

(a) common wheat of a sound and fair marketable quality, free from abnormal smell and live pests, of a colour proper to this cereal and of a quality corresponding to the average quality of common wheat harvested under normal conditions in the Community;

(b) moisture content: 16%;

(c) total percentage of matter other than basic cereals of unimpaired quality: 5%, of which:

— percentage of broken grains: 2%;

— percentage of grain impurities: 1·5% ('grain impurities' means shrivelled grains, grains of other cereals, grains damaged by pests and grains showing discoloration of the germ);

— percentage of sprouted grains: 1%;

— percentage of miscellaneous impurities: 0·5% ('miscellaneous impurities' consist of weed seeds, damaged grains, extraneous matter, husks, ergot, decayed grains, dead insects and fragments of insects);

(d) specific weight: 75 kilogrammes per hectolitre.

### *Article 2*

The standard quality for which the target price and the intervention prices for rye are fixed is defined as follows:

(a) rye of a sound and fair marketable quality, free from abnormal smell and live pests, of a colour proper to this cereal and of a quality corresponding to the average quality of rye harvested under normal conditions in the Community;

(b) moisture content: 16%;

(c) total percentage of matter other than basic cereals of unimpaired quality: 5%, of which:

[1] OJ No 117, 19.6.1967, p. 2269/67.
[2] OJ No L 41, 18.2.1969, p. 1.
[3] OJ No C 41, 1.4.1969, p. 35.
[4] OJ No 279, 18.11.1967, p. 2.

— percentage of broken grains: 2%;

— percentage of grain impurities: 1·5% ('grain impurities' means shrivelled grains, grains of other cereals and grains damaged by pests);

— percentage of sprouted grains: 1%;

— percentage of miscellaneous impurities: 0·5% ('miscellaneous impurities' consist of weed seeds, damaged grains, extraneous matter, husks, ergot, dead insects and fragments of insects);

(d) specific weight: 71 kilogrammes per hectolitre.

*Article 3*

The standard quality for which the target price and the intervention prices for barley are fixed is defined as follows:

(a) barley of a sound and fair marketable quality, free from abnormal smell and live pests, of a colour proper to this cereal and of a quality corresponding to the average quality of barley harvested under normal conditions in the Community;

(b) moisture content: 16%;

(c) total percentage of matter other than basic cereals of unimpaired quality: 4%, of which:

— percentage of grain impurities: 2% ('grain impurities' means shrivelled grains, grains of other cereals and grains damaged by pests);

— percentage of sprouted grains: 1%;

— percentage of miscellaneous impurities: 1% ('miscellaneous impurities' consist of weed seeds, damaged grains, extraneous matter, husks, dead insects and fragments of insects);

(d) specific weight: 67 kilogrammes per hectolitre.

*Article 4*

The standard quality for which the target price and the intervention price for maize are fixed is defined as follows:

(a) maize of a sound and fair marketable quality, free from abnormal smell and live pests;

(b) moisture content: 15%;

(c) total percentage of matter other than basic cereals of unimpaired quality: 8%, of which:

— percentage of broken grains: 2% ('broken grains' means pieces of grain or grains which pass through a sieve with a circular mesh 4·5 millimetres in diameter);

— percentage of grain impurities: 4% ('grain impurities' means grains of other cereals, grains damaged by pests and grains of abnormal coloration, the latter being grains which have acquired through heating a darkish brown colour on a fairly substantial part of the tegument and of the kernel and are not damaged grains);

— percentage of sprouted grains: 1%;

— percentage of miscellaneous impurities: 1% ('miscellaneous impurities' consist of weed seeds, damaged grains, extraneous matter, husks, dead insects and fragments of insects).

*Article 5*

The standard quality for which the target price, the intervention prices and the guaranteed minimum price for durum wheat are fixed is defined as follows:

(a) durum wheat of a sound and fair marketable quality, free from abnormal smell and live pests, dry, amber yellow to brown in colour, with a vitreous section of translucent, horny appearance and of a quality corresponding to the average quality of durum wheat harvested under normal conditions in the Community;

(b) total percentage of matter other than durum wheat grains of unimpaired quality: 24·5%, of which:

— percentage of durum wheat grains which have wholly or partly lost their vitreous aspect (mitadiné) and common wheat grains: 20%, of which not more than 4% of common wheat grains;

— percentage of broken grains: 2%;

— percentage of grain impurities: 1·5% ('grain impurities' means shrivelled grains, grains of cereals other than durum wheat and common wheat, grains damaged by pests, grains in which the germ is discoloured or mottled grains);

— percentage of sprouted grains: 0·5%;

— percentage of miscellaneous impurities: 0·5% ('miscellaneous impurities' consist of weed seeds, damaged grains, extraneous matter, husks, ergot, decayed grains, dead insects and fragments of insects);

(c) specific weight: 78 kilogrammes per hectolitre.

*Article 6*

For the purpose of applying this Regulation:

(a) the matter other than basic cereals of unimpaired quality is defined in Annex I A, save as otherwise defined in this Regulation, and is determined according to the method laid down in Annex I B;

(b) moisture content shall be determined by reference to the method shown in Annex II;

(c) the method for determining 'mitadiné' durum wheat grains shall be determined according to the procedure laid down in Article 26 of Regulation No 120/67/EEC.

*Article 7*

Regulation No 865/67/EEC is hereby repealed.

This Regulation shall enter into force on 1 August 1969.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 22 April 1969.

*For the Council*

*The President*

J. P. BUCHLER

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*ANNEX I*

A. MATTER OTHER THAN BASIC CEREALS OF UNIMPAIRED QUALITY

1. **Broken grains:**

All grains of which the endosperm is partially uncovered shall be considered as broken grains. Grains damaged by threshing and grains from which the germ has been removed also belong to this group.

This definition does not apply to maize.

2. **Grain impurities:**

(a) *Shrivelled grains:*

Grains which, after elimination from the sample of all other matter referred to in this Annex, pass through sieves with apertures of the following dimensions: common wheat 2 millimetres, rye 1·8 millimetres, durum wheat 1·9 millimetres, barley 2·2 millimetres, shall be considered as shrivelled grains.

In addition, grains damaged by frost and unripe grains (green) belong to this group.

(b) *Other cereals:*

'Other cereals' means all grains which do not belong to the species of grain sampled. In the case of a sample of durum wheat, all common wheat grains exceeding 4% shall count as 'other cereals'.

(c) *Grains damaged by pests:*

Grains damaged by pests are those which have been nibbled. Bug-ridden grains also belong to this group.

(d) *Grains in which the germ is discoloured and mottle grains:*

Grains in which the germ is discoloured are those of which the tegument is coloured brown to brownish black and of which the germ is normal and not sprouting. For common wheat, grains in which the germ is discoloured shall be disregarded up to 8%. For durum wheat, grains which show a brown to brownish black discoloration elsewhere than on the germ itself shall be considered as mottled grains.

3. **Sprouted grains:**

Sprouted grains are those in which the radicle or plumule is clearly visible to the naked eye. However, account must be taken of the general appearance of the sample when its content of sprouted grains is assessed. In some kinds of cereals the germ is protuberant, e.g. in durum wheat, and the germ tegument splits when the batch of cereals is shaken. These grains resemble sprouted grains but must not be included in that group. Sprouted grains are only those where the germ has undergone clearly visible changes which make it easy to distinguish the sprouted grain from the normal grain.

4. **Miscellaneous impurities** (Schwarzbesatz):

(a) *Weed Seeds*

(b) *Damaged grains:*

Damaged grains are those rendered unfit for human consumption and, as regards feed grain, for consumption by cattle, owing to putrefaction, mildew, or bacterial or other causes.

Grains which have deteriorated through spontaneous generation of heat also belong to this group; these 'heated' or 'smutty' grains are fully grown grains in which the tegument is coloured greyish brown to black, while the cross-section of the kernel is coloured yellowish grey to brownish black.

Grains attacked by wheat-midge shall be considered as damaged grains only when more than half the surface of the grain is coloured grey to black as a result of secondary cryptogamic attack. Where discoloration covers less then half the surface of the grain, the latter must be classed with grains damaged by pests.

(c) *Extraneous matter:*

All matter in a sample of cereals retained by a sieve with apertures of 3·5 millimetres (with the exception of grains of other cereals and particularly large grains of the basic cereal) and that passing through a sieve with apertures of 1 millimetre shall be considered as extraneous matter.

Also included in this group are stones, sand, fragments of straw and other impurities in the samples which pass trough a sieve with apertures of 3·5 millimetres and are retained by a sieve with apertures of 1 millimetre.

This definition does not apply to maize. For that cereal, all matter in a sample which passes through a sieve with apertures of 1 millimetre, as well as all the impurities mentioned in the preceding subparagraph, must be considered as extraneous matter.

(d) *Husks* (for maize: cob fragments)

(e) *Ergot*

(f) *Decayed grains*

(g) *Dead insects and fragments of insects*

5. **Live pests:**

B. STANDARD METHOD FOR DETERMINING MATTER OTHER THAN BASIC CEREALS OF UNIMPAIRED QUALITY

1. For *common wheat, durum wheat, rye, barley,* an average sample of 250 grammes is passed through two sieves, one with apertures of 3·5 millimetres and the other with apertures of 1 millimetre, for half a minute each.

   In order to ensure constant sifting, it is advisable to use a mechanical sieve, e.g. a vibrating table with fitted sieves.

   The matter retained by the sieve with apertures of 3·5 millimetres and that passing through the sieve with apertures of 1 millimetre must be weighed together and considered as extraneous matter. Where the matter retained by the sieve with apertures of 3·5 millimetres includes parts of the 'other cereals' group or particularly large grains of the basic cereal, those parts or grains shall be returned to the sifted sample. During sifting, in the sieve with apertures of 1 millimetre, a close check must be made for live pests.

   From the sifted sample, a sample of 50 to 100 grammes shall be taken using a separator. This partial sample must be weighed.

   Then this partial sample should be spread out on a table with tweezers or a horn spatula and broken grains, other cereals, sprouted grains, grains damaged by pests, grains damaged by frost, grains in which the germ is discoloured, mottled grains, weed seeds, ergots, damaged grains, decayed grains, husks and live pests and dead insects must be extracted.

   Where the partial sample includes grains still in the husk, they shall be husked by hand, the husks so obtained being considered as pieces of husks. Stones, sand and fragments of straw shall be considered as extraneous matter.

   The partial sample shall be sifted for half a minute in a sieve with apertures of 2 millimetres for common wheat, 1·8 millimetres for rye, 1·99 millimetres for durum wheat and 2·2 millimetres for barley. Matter which passes through this sieve shall be considered as shrivelled grain. Grains damaged by frost and unripe green grains belong to the 'shrivelled grains' group.

2. For *maize,* an average sample of 500 grammes is shaken for half a minute in a sieve with apertures of 1 millimetre. Check for live pests and dead insects.

   Using tweezers or a horn spatula, extract from the matter retained by the sieve with apertures of 1 millimetre, stones, sand, fragments of straw and other extraneous matter.

   Add the extraneous matter thus extracted to the matter which has passed through the sieve with apertures of 1 millimetre and weigh them together.

   Using a separator, prepare a sample of 100 to 200 grammes from the sample passed through the sieve. Weigh this partial sample.

   Spread it out in a thin layer on a table. Using tweezers or a horn spatula, extract the pieces of other cereals, grain damaged by pests, grains damaged by frost, sprouted grains, weed seeds, damaged grains, husks, live pests and dead insects.

   Next, pass this partial sample through a sieve with a 4·5 millimetre round mesh. Matter which passes through this sieve shall be considered as broken grains.

3. Groups of matter other than basic cereals of unimpaired quality, determined according to the methods referred to in 1 and 2, the percentages of which are laid down in Article 1 to 5, must be weighed very carefully to the nearest 0·01 grammes and distributed according to percentage over the average sample. The particulars entered in the analyses report shall be to the nearest 0·1%. Check for live pests.

   As a general rule, two analyses must be made for each sample. They must not differ by more than 10% in respect of the total of the above-mentioned matter.

4. The apparatus to be used for the operations referred to in 1, 2 and 3 is as follows:

   (a) sample separator, e.g. a conical or grooved apparatus,

   (b) precision or assay balance,

   (c) sieves with apertures of 1 millimetre, 1·8 millimetres, 1·9 millimetres, 2 millimetres, 2·2 millimetres, and 3·5 millimetres and a sieve with a 4·5 millimetre round mesh. The sieves may be fitted to a vibrating table.

*ANNEX II*

## STANDARD METHOD OF TESTING FOR MOISTURE CONTENT

1. **Principle:**

The product is dried at a temperature of 130 to 133 °C, under normal atmospheric pressure, for a period of time fixed by rule of thumb according to the size of the particles.

2. **Field of application:**

This drying method applies to cereals crushed into particles of which at least 50% pass through a sieve with 0·5 millimetre mesh and leave not more than 10% residue on the sieve with a 1 millimetre round mesh. It also applies to flour.

3. **Apparatus:**

Precision balance.

Crusher made of a material which does not absorb moisture, is easy to clean, enables crushing to be effected quickly and evenly without overheating, limits contact with the outside air to the minimum, and meets the requirements mentioned in 2 (e.g. a detachable roller mill).

Receptacle made of non-corrodible metal or glass, fitted with a ground lid; working surface allowing distribution of the test sample at 0·3 grammes per sq. cm.

Electrically heated isothermic heating-chamber, set at a temperature of 130 to 133 °C,[1] having adequate ventilation[2].

Dryer with a metal or, failing metal, procelain plate, thick, perforated, containing silica gel impregnated with cobalt chloride or any other suitable dehydrator.

4. **Method:**

(a) *Drying:*

Weigh at least 5 grammes of the crushed substance in the pre-weighed receptacle. Place the receptacle in a heating-chamber heated to 130 °C. To prevent too great a drop in temperature the receptacle must be introduced in as short a time as possible. Leave to dry for two hours after the heating-chamber regains a temperature of 130 °C. Remove the receptacle from the heating-chamber, quickly replace the lid, leave to cool for thirty to forty-five minutes in a dryer and weigh (weighing must be accurate to 1 milligramme).

(b) *Pre-drying:*

Grains with a moisture content higher than 17% must be pre-dried as follows:

Weigh 50 grammes of unground grain in a suitable receptacle (e.g. a 20 × 12 centimetre aluminium plate with a 0·5 centimetre rim), leave to dry in a heating-chamber for seven to ten minutes at a temperature of 130 °C, remove from the heating-chamber, leave the grains uncovered to cool in the laboratory for two hours and weigh (weighing must be accurate to 10 milligrammes). Crush the partially dried grains and determine the remaining moisture content as described in (a).

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1 Air temperatures inside the heating-chamber.

2 Its heating capacity should be such that, when it has been pre-set to 131 °C, that temperature can be regained in less than forty-five minutes after the maximum number of test samples have been placed in the chamber to dry simultaneously. Ventilation should be such that, when all test samples of common wheat it can hold are dried for two hours, the results differ by no more than 1·15% from the results obtained after drying for four hours.

5. **Method of calculation and formulae:**

E = the initial mass, in grammes, of the test sample;

M = the mass, in grammes, of the test sample after preparation;

M' = the mass, in grammes, of the test sample after crushing;

m = the mass, in grammes, of the dry test sample.

The moisture content as a percentage of the product is equal to:

— without previous preparation $(E - m) \times \frac{100}{E}$

— with previous preparation

$$\left[\frac{(M' - m)}{M'} + E - M\right] \times \frac{100}{E} = 100 \left(1 - \frac{Mm}{E\,M'}\right)$$

Tests to be made in duplicate at least.

6. **Accuracy of test:**

The difference between two tests made on the same sample must not exceed ±0·1% of moisture.