COMMISSION REGULATION (EEC) No 1131/76

of 14 May 1976

amending Regulation (EEC) No 753/76 as regards certain rules for the denaturation of skimmed-milk powder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 563/76 of 15 March 1976 on the compulsory purchase of skimmed-milk powder held by intervention agencies for use in feedingstuffs (1), and in particular Article 9 (1) thereof,

Whereas Commission Regulation (EEC) No 753/76 of 31 March 1976 laying down detailed rules for the sale of skimmed-milk powder for use in animal feed pursuant to Regulation (EEC) No 563/76 (2), lays down the conditions for denaturing skimmed-milk powder sold pursuant to that Regulation ;

Whereas certain of these conditions should be amended to take into account the market availabilities of certain binding agents, and to specify in the interests of clarity that the provisions concerning the incorporation of minimum quantities of binding agents in no way exempts them from respecting other provisions besides the said Regulation which concern animal feed ; whereas this concerns especially the provisions of Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs (3), as last amended by the thirteenth Commission Directive 76/13/EEC of 15 December 1975 (4) ; whereas, as regards the control of the denaturation, reference should be made to Council Directive 70/373/EEC of 20 July 1970 on the introduction of Community methods of sampling and analysis for the official control of feedingstuffs (5), as last amended by Council Directive 72/276/EEC of 20 July 1972 (6) ;

Whereas certain material errors in the text of Regulation (EEC) No 753/76 which have been made in different languages should at the same time be corrected ;

Whereas the Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION :

Article 1

The text of Article 5 (4) of Regulation (EEC) No 753/76 is hereby amended to read as follows :

'4. Without prejudice to Articles 10 and 11 of Council Directive 70/524/EEC, of 23 November 1970, the sacks, packagings and containers used for the transport and storage of the skimmed-milk powder which has been denatured or incorporated in a feedingstuff in accordance with Article 1 (2),

(a) shall indicate, by means of a roman number and a capital letter, the formula used for denaturing or incorporation (formulae I A to I F and II A to II F) and

(b) shall mention, in the case of denaturation in accordance with the first indent of Article 1 (2), the composition of the denatured product.

The information referred to in (b) need, in the case of a bulk product, only be stated in a signed document accompanying the denatured product until the stage when it is used.'

Article 2

Annex I to Regulation (EEC) No 753/76 is hereby amended as follows :

1. In Chapter 1, 'Denaturing', under formulae I C and I F, for '250 g copper' read '150 g copper'.

2. In Chapter 2, 'Denaturation by direct incorporation in animal feed', the second sentence of the introduction shall read as follows :

(a) in the French text :

'Dans celui-ci doivent en outre être présents, exprimés ci-dessous en pourcentage ou en ppm sur le produit fini, les constituants et les additifs suivants (quantités minimales), incorporés selon l'une des formules ci-après :'

(1) OJ No L 67, 15. 3. 1976, p. 18.
(2) OJ No L 88, 1. 4. 1976, p. 1.
(3) OJ No L 270, 14. 12. 1970, p. 1.
(4) OJ No L 4, 9. 1. 1976, p. 21.
(5) OJ No L 170, 3. 8. 1970, p. 2.
(6) OJ No L 171, 29. 7. 1972, p. 39.

(b) in the Danish text :

'Foderet skal desuden indeholde, herefter udtrykt i procent eller i ppm af det færdige produkt, følgende bestanddele og tilsætningsstoffer (mindstemængder), tilsat i henhold til en af de nævnte formler :'

(c) in the Italian text :

'Nonché, qui di seguito espressi in percentuale o in ppm sul prodotto finito, i costituenti e gli additivi sotto specificati (quantitativi minimi) incorporati secondo una delle formule seguenti :'.

3. In Chapters 1 and 2

(a) under formulae I B to I F and II A to II F, for 'iron, as anhydrous or heptahydrate ferrous sulphate' read in each case 'iron, in the form of heptahydrate ferrous sulphate'

(b) under formulae I E, I F, II D, II E and II F, for 'dehydrated grass meal and/or dehydrated alfalfa meal' read in each case 'grass meal and/or alfalfa meal'.

4. The text of Chapter 3, 'General prescriptions concerning denaturing and incorporation' is replaced by the text set out in the Annex hereto.

Article 3

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities.*

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

Done at Brussels, 14 May 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

ANNEX

3. GENERAL PRESCRIPTIONS CONCERNING DENATURING AND INCORPORATION

A. It is not permitted to submit skimmed-milk powder in its natural state or after denaturation to a chemical or physical process capable of weakening or neutralizing the effects of denaturing given in the formulae specified in Chapters 1 and 2, especially by the use of binding agents.

Anticaking and flowing agents may be used, for the application of the formulae referred to in Chapter I and in addition to the products mentioned, when incorporated to a level of 2 % in the mixture of skimmed-milk powder and its denaturing agents.

B. Fish meal, referred to in formulae I A and I B, must have at least 30 % of its particles less than 300 microns in size.

Iron sulphate referred to in formulae I B, I C, I E and I F must have at least 30 % of its particles less than 250 microns in size. Copper sulphate referred to in the same formulae must have at least 30 % of its particles less than 200 microns in size.

Starch and carboxymethylcellulose, referred to in formulae I D, I E and I F, must have at least 50 % of its particles less than 80 microns in size.

Ground cereals and oil-seed cake, referred to in formula I D, as well as crude fibre in whatever form referred to the same formula, must have a minimum of 50 % of its particles of less than 500 microns in size.

Grass meal and alfalfa meal, referred to in formulae I E and I F, must contain at least 50 % of particles not exceeding 300 microns in size.

When skimmed-milk powder is denatured in the United Kingdom, the BS 410-1969 standards are readily available, and the nearest equivalent standards to the maximum or the minimum given for the particle size can be used.

Ground cereals, referred to in formula I D, means a product that has been fully milled from a mixture of oats and barley or from a mixture of other cereals suitable only for animal feeding, or from cereals by-products, increased if necessary by added crude fibre to give a minimum crude fibre content in dry matter of at least 8·0 %.

Oil-seed cakes specified in formula I D, increased, if necessary, by added crude fibre to give a minimum crude fibre content in dry matter of at least 8·0 %.

Grass meal and alfalfa meal respectively must have at least a minimum crude fibre content in dry matter of 20 % and 15 %.

Carboxymethylcellulose, referred to in formula I D, I E and I F, having a molecular weight of 200 000 to 500 000 and at least a 95 % level of purity, must have a total degree of substitution between 0·6 and 1·0 (x = 2 to 2·4 ; y = 0·6 to 1).

Fish oil and fish liver oil, referred to in formulae I C and II C, must have a free fatty acids content expressed in oleic acid of at least 7 %.

C. The minimum quantities of the products
in formulae I A to I F and II A to II F, ar
the maximum quantitities of additives wh
the provisions laid down in Council Dir
additives in feedingstuffs.

porated in the skimmed-milk powder, given
hout prejudice to other provisions relating to
contained in animal feed, and in particular
24/EEC of 23 November 1970 concerning

D. The products given in formulae I A to I F must be distributed in a uniform manner so that in two individual samples of 50 g, drawn at random from a 25 kg package, there is contained — by chemical determination — the same results as above within tolerable error limits set by the method of analysis used.

The provisions adopted pursuant to Council Directive 70/373/EEC of 20 July 1970 on the introduction of Community methods of sampling and analysis for the official control of feedingstuffs, shall apply for the control of denaturation.