# COMMISSION REGULATION (EEC) No 1832/76

## of 28 July 1976

## amending Regulation (EEC) No 1492/71 fixing the procedures and conditions for the taking over of cereals by intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals (1), as last amended by Regulation (EEC) No 1143/76 (2), and in particular Articles 4 (3) and 7 (5) thereof,

Whereas Commission Regulation (EEC) No 1492/71 of 13 July 1971 fixing the procedure and conditions for the taking over of cereals by intervention agencies (3), as last amended by Regulation (EEC) No 1422/72 (4), lays down minimum quality requirements for common wheat to be processed for human consumption; whereas for the 1976/77 marketing year common wheat which does not meet the conditions laid down in Commission Regulation (EEC) No 1831/76 of 28 July 1976 laying down the method for determining the minimum bread-making quality of common wheat required for intervention in the 1976/77 marketing year (5), shall be considered as a feed grain and shall be taken over by the intervention agency at the barley price level; whereas, as a result, certain of the quality criteria laid down in Article 2 of Regulation (EEC) No 1492/71 should be amended for this type of wheat to make them more compatible with its intended use in animal feeding;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

There is hereby added to Regulation (EEC) No 1492/71 the following Article 2a:

'*Article 2a*

By way of derogation from Article 2 (2), if common wheat does not meet the minimum requirements for bread-making as defined in Regulation (EEC) No 1831/76, the following provisions shall apply:

Such wheat shall be considered to be of sound and marketable quality if it is of the typical colour of the cereal in question, free from abnormal smell and live pests (including mites) at every stage of their development and when:

— the total percentage of constituents which are basic cereals of unimpaired quality is not less than 90 %;

— the moisture content does not exceed a percentage fixed by the intervention agencies at between 14 and 16 %, according to region;

— the specific weight is not less than a weight fixed by the intervention agencies at between 69 and 72 kg/hl, according to region;

— the percentage of sprouted grains does not exceed 6 %;

— the percentage of impurities consisting of grains other than shrivelled grains does not exceed 5 %;

— the percentage of miscellanous impurities (Schwarzbesatz) does not exceed 3 %;

— the percentage of broken grains does not exceed 8 %;

— the percentage of shrivelled grains does not exceed 10 %.'

*Article 2*

Article 3 (5) of Regulation (EEC) No 1492/71 is hereby deleted.

*Article 3*

There is hereby added to Article 4 of Regulation (EEC) No 1492/71 the following paragraph 3a:

'3a. Where common wheat offered to intervention as common wheat of bread-making quality does not meet the minimum bread-making quality

(1) OJ No L 281, 1. 11. 1975, p. 1.
(2) OJ No L 130, 19. 5. 1976, p. 1.
(3) OJ No L 157, 14. 7. 1971, p. 18.
(4) OJ No L 151, 5. 7. 1972, p. 15.
(5) See page 20 of this Official Journal.

requirements as laid down in Regulation (EEC) No 1831/76, the offer may be withdrawn.

The Member States shall without delay inform the Commission of the number of offers and the quantity they represent which are withdrawn.'

*Article 4*

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

It shall be applicable with effect from 1 August 1976.

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

Done at Brussels, 28 July 1976.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*