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REGULATION (EEC) No 2403/69 OF THE COMMISSION

of 1 December 1969

on special conditions for granting export refunds on certain pigmeat products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 121/67/EEC¹ of 13 June 1967 on the common organisation of the market in pigmeat, as last amended by Regulation (EEC) No 1398/69,² and in particular Articles 15 (6) and 22 thereof;

Having regard to Council Regulation No 177/67/EEC³ of 27 June 1967 laying down general rules for granting export refunds on pigmeat and criteria for fixing the amount of such refunds and in particular Article 6 (3) thereof;

Whereas Article 6 (2) of Commission Regulation No 1041/67/EEC⁴ of 21 December 1967 laying down detailed rules for the application of export refunds on products governed by a single price system, as last amended by Regulation (EEC) No 1935/69,⁵ provides that no refund shall be granted where products in the form in which they are exported are not of sound and fair marketable quality;

Whereas it has been shown, however, that these requirements are not sufficient, for certain products listed in Article 1 (1) of Regulation No 121/67/EEC, to ensure the application of uniform conditions for the payment of refunds;

Whereas additional conditions relating to products of average quality and enabling the payment of refunds on products of inferior quality to be refused should consequently be laid down on a Community basis;

Whereas it is essential to provide controls to ensure observance of this Regulation; whereas controls carried out by sampling and consisting of an organoleptic examination and physical and chemical analyses seem adequate seeing that it is provided that the application for a refund is to be accompanied by a written declaration stating that the products in question comply with the requirements laid down in this Regulation;

Whereas in order to ensure standardisation of the physical and chemical controls it is necessary to apply certain analyses;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Pigmeat;

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to other Community provisions, and in particular those of Regulation No 1041/67/EEC, the refund shall be granted on products listed in Annex I only where:

- (a) they comply with the conditions laid down in that Annex; and
- (b) the exporter, at the time of the conclusion of customs export formalities within the meaning of Article 1 (2) of Regulation No 1041/67/EEC, declares in writing that the products in question fulfil the conditions referred to under (a) above.

2. Where this Regulation applies, products manufactured for human consumption and suitable therefor by reason of the raw materials used, their preparation under satisfactory hygienic conditions and their packaging shall be considered to be of sound and fair marketable quality for the purposes of Article 6 of Regulation No 1041/67/EEC.

¹ OJ No 117, 19.6.1967, p. 2283/67.

² OJ No L 179, 21.7.1969, p. 13.

³ OJ No 130, 28.6.1967, p. 2614/67.

⁴ OJ No 314, 23.12.1967, p. 9.

⁵ OJ No L 247, 1.10.1969, p. 51.

Article 2

1. Controls by sampling for the observance of the conditions laid down in Article 1 shall consist of:

- (a) an organoleptic examination; and
- (b) physical and chemical analyses carried out by applying the methods laid down in Annex II.

2. Member States shall communicate to the Commission the measures taken in implementation of this Regulation.

Article 3

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

It shall apply to the following products in Annex I in respect of which customs export formalities have been concluded.

- (a) from 1 January 1970 in respect of products falling within heading No 15.01 A II of the Common Customs Tariff;
- (b) from 1 February 1970 in respect of other products.

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

Done at Brussels, 1 December 1969.

For the Commission

The President

Jean REY

ANNEX I

CCT heading No	Description of goods	Conditions
15.01	Lard and other rendered pig fat; rendered poultry fat: A. Lard and other rendered pig fat: II. Other	(a) 'Bömer' value: minimum 73 (b) peroxide value: maximum 6 milli-equivalents of oxygen per kg (c) free fatty acids content, by weight, expressed as a percentage of oleic acid: maximum 1.5% (d) water and 'dirt' content by weight: maximum 0.5%
ex 16.01	Sausages and the like, of meat, meat offal or animal blood, intended for human consumption: B. Other: I. Dry sausages, uncooked II. Other	(a) total protein content by weight: minimum 12% (b) no addition of extraneous water to the product (c) proteins other than animal proteins are prohibited (a) total protein content by weight: minimum 8% (b) extraneous water content by weight: maximum 23%
ex 16.02	Other prepared or preserved meat or meat offal, intended for human consumption: B. Other: III. Not specified (a) Containing meat or offals of domestic swine and containing by weight: 1. 80% or more of meat or offal, including fats, of any kind: (aa) Hams, fillets and loins; pieces thereof (bb) Shoulders and pieces thereof (cc) Other	water protein ratio in the meat: 4:3 : 1 water protein ratio in the meat: 4:3 : 1 Total animal protein content by weight: minimum 8%

ANNEX II

Methods of analysis¹:1. *Determination of Bömer value*

The Bömer value must be determined according to the method known as the diethyl ether method or the acetone method.

(Source: ISO/TC 34/SC 6/WG 3/N 73).

2. *Determination of peroxide value*

The peroxide value must be determined according to the D. H. Wheeler iodometric method.

(Source: Deutsche Gesellschaft für Fettwissenschaft, Einheitsmethoden C VI 6 a (61)).

3. *Determination of free fatty acids content*

The free fatty acids content must be determined by neutralisation of the free fatty acids according to ISO method R. 660.

(Source: ISO/TC 34 (Secr. — 239) 320 E).

4. *Determination of water and dirt content in products falling within tariff heading No 15.01 A II*

The water content must be determined according to ISO method R. 933 and the dirt content according to ISO method R. 932.

(Source: ISO/TC 34 (Secr. — 371) 437 E);

(Source: ISO/TC 34 (Secr. — 367) 433 E).

5. *Determination of water content in products falling within tariff headings Nos 16.01 and 16.02*

The water content must be determined according to ISO method P. R. No 1442.

(Source: ISO/TC 34 (Secr. — 260) 447 E).

6. *Determination of total protein content*

The total protein content of the meat shall be taken to mean the nitrogen content multiplied by the factor 6.25. The nitrogen content must be determined according to ISO method P. R. No 1233.

(Source: ISO/TC 34 (Secr. — 327) 374 F).

7. *Calculation of extraneous water content*

The extraneous water content is given by the formula : $a - (4b)$, in which:

a = water content,

b = total protein content.

¹ The methods of analysis are those operative on the date of the entry into force of this Regulation. The documents cited under 1, 3, 4, 5 and 6 are published by the Secretariat of ISO, Geneva, Switzerland, 1 rue de Varembe.