Commission Delegated Regulation (EU) 2018/149 of 15 November 2017 amending Delegated Regulation (EU) 2016/1238 with regard to the compositional requirements and quality characteristics of milk and milk products eligible for public intervention and aid for private storage

COMMISSION DELEGATED REGULATION (EU) 2018/149

of 15 November 2017

amending Delegated Regulation (EU) 2016/1238 with regard to the compositional requirements and quality characteristics of milk and milk products eligible for public intervention and aid for private storage

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007[(1)], and in particular Article 19(1)(a) thereof,

Whereas:

(1) Commission Delegated Regulation (EU) 2016/1238[(2)] sets out the compositional requirements and quality characteristics for milk and milk products that are eligible for public intervention and aid for private storage.

(2) Due to technical improvements in the methodology used in the analysis and quality evaluation of milk and milk products and in order to align existing Union rules relating to hygiene requirements, it is necessary to review and update the parameters of the compositional requirements and quality characteristics of certain milk products eligible for public intervention and aid for private storage.

(3) Annexes IV and V to Delegated Regulation (EU) 2016/1238 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The Annexes to Delegated Regulation (EU) 2016/1238 are amended as follows:

(a) Part II of Annex IV is replaced by the text set out in Annex I to this Regulation;

(b) Part II of Annex V is replaced by the text set out in Annex II to this Regulation.

Article 2

This Regulation shall enter into force on the seventh day following that of its publication in the *Official Journal of the European Union*.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Delegated Regulation (EU) 2018/149. (See end of Document for details)*

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

Done at Brussels, 15 November 2017.

For the Commission

The President

Jean-Claude JUNCKER

ANNEX I

PART II

Compositional requirements and quality characteristics

Butter is a solid emulsion, mainly of the water-in-oil type, with the following compositional and quality characteristics:

Parameters	**Content and quality characteristics**
Fat	Minimum 82 %
Water	Maximum 16 %
Non-fat solids	Maximum 2 %
Fat acidity	Maximum 1,2 mmole/100 g fat
Peroxide value	Maximum 0,3 meq oxygen/1 000 g fat
Non-milk fat	Not detectable by triglyceride analysis
Sensory characteristics	At least four out of five points for appearance, flavour and consistency

ANNEX II

PART II

Compositional requirements and quality characteristics

Parameters	**Content and quality characteristics**
Protein	Minimum 34,0 % of the non-fat dry matter
Fat	Maximum 1,00 %
Water	Maximum 3,5 %
Titratable acidity in ml of decinormal sodium hydroxide solution	Maximum 19,5 ml
Lactates	Maximum 150 mg/100 g

a	"Buttermilk" means the by-product of butter production obtained after churning of the cream and separation of the solid fat.
b	The absence of buttermilk can be established either by an on-the-spot inspection of the production plant carried out without prior notice at least once a week, or by a laboratory analysis of the end product indicating a maximum of 69,31 mg of PEDP phosphatidylethanolamine dipalmitoyl per 100 g.
c	"Whey" means the by-product of cheese or casein production obtained by the action of acids, rennet and/or chemico-physical processes.
d	When on-the-spot inspections are carried out.
e	When ISO 8069 is applied.