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From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
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To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
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Subject:	COMMISSION DELEGATED REGULATION (EU) .../... of 20.4.2017 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the Union scales for the classification of beef, pig and sheep carcasses and as regards the reporting of market prices of certain categories of carcasses and live animals

Delegations will find attached document C(2017) 2411 final.

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Brussels, 20.4.2017
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COMMISSION DELEGATED REGULATION (EU) .../...

of 20.4.2017

supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the Union scales for the classification of beef, pig and sheep carcasses and as regards the reporting of market prices of certain categories of carcasses and live animals

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

The 2013 reform of the Common Agricultural Policy (the "CAP") placed a high importance on the simplification and reduction of administrative burden for operators and administration.

Many of the management rules laid down in Commission implementing regulations have not been updated and therefore do not fully reflect what is likely to be necessary in the future, particularly in terms of simplicity of operation and an acceptable administrative burden for operators and Member States and maintaining the continuous monitor of market situation. Nevertheless there were several implementing regulations influencing the same sector by different conditions in order to know the market prices of certain qualities of carcasses of animals and of live animals. Therefore, the previous implementing regulations aimed to have a complete overview of the market situation at all times need to be repealed and replaced by simplified rules that are aligned with the Treaty of Lisbon and the empowerments contained in the relevant basic acts. Moreover, in line with the objective of reducing the number of legal acts, the currently separate regulations laying down rules for the implementation of Union scales for the classification of carcasses and the reporting of prices thereof and for the application of the survey of market prices of live animals are being merged into one delegated and one implementing act.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

The Commission discussed the draft Delegated Act with experts nominated by the Member States in meetings of the CMO Expert Group during the period between September 2014 and October 2016 and took account of the views and positions expressed during these consultations.

In the period May 2014 to April 2015 the provisions on carcass classification and price reporting laid down in existing Commission Implementing Regulations and the issues arising from them were discussed extensively with the experts of the Member States using the open working method developed by the Task Force to coordinate the alignment of existing CMO Regulations.

The experts of the European Parliament were informed about all those discussions and invited to all the meetings.

The draft Delegated Act (and the corresponding Implementing Act) were made available for public consultation within the framework of the Better Regulation Portal for a period of 4 weeks (19 December 2016 till 16 January 2017). In total 14 stakeholder organisations had commented. Some remarks concerned views and positions that had already been discussed with the Member States in the meetings of the CMO Expert group. The Commission took into consideration several comments that improved the clarity, transparency and the terminology of the draft.

The draft Delegated and Implementing Acts are referring to Commission Implementing Regulation (EU) No../..(ISAMM). These regulations are interconnected and complement each other.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

The delegated act supplements the basic act as regards the conditions on uniform application of carcass classification and price reporting.

The delegated act supplements the basic act as regards the Union scales for the classification of beef, pig and sheep carcasses, in particular laying down derogations from the compulsory classification of carcasses and additional rules relating to the classes of conformation, fat cover, carcass weight and colour of the meat, classification, weighing and marking of carcasses.

With a view to ensuring the accuracy and reliability of the classification of carcasses, the delegated act lays down rules relating to staff entitled to carry it out and to grading methods, including rules on the possibility to modify the technical specifications of such grading methods.

In order to establish comparable market prices on the basis of Union scales for beef, pig and sheep carcass classification and different types of live animals, the delegated act lays down rules on carcass presentations and on the recording of market prices for carcasses and live animals as well as on the calculation of the average Union price, and on the annual notifications of Member States to the Commission.

Finally, the delegated act repeals existing Commission Regulations on the implementation of the Union scales for the classification of beef, pig and sheep carcasses and the reporting of prices thereof as well as the survey of prices of certain bovine animals on representative Union markets.

COMMISSION DELEGATED REGULATION (EU) .../...

of 20.4.2017

supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the Union scales for the classification of beef, pig and sheep carcasses and as regards the reporting of market prices of certain categories of carcasses and live animals

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 organization 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 1234/2007¹, and in particular Article 19(6)(a) to (d), Article 223(1) and Article 223(2)(a) thereof,

Whereas:

- (1) Regulation (EU) No 1308/2013 has repealed and replaced Council Regulation (EC) No 1234/2007². Section 1 of Chapter I of Title I of Part II of Regulation (EU) No 1308/2013 contains rules on public intervention and aid for private storage, including the classification of beef, pig and sheep carcasses and the reporting of prices thereof and empowers the Commission to adopt delegated and implementing acts in that respect. In order to ensure the smooth functioning of the Union scales for the classification of beef, pig and sheep carcasses and to establish comparable market prices for carcasses and live animals in the new legal framework, certain rules should be adopted by means of such acts. The new rules should replace the implementing rules of Commission Regulations (EC) No 315/2002³, (EC) No 1249/2008⁴ and (EU) No 807/2013⁵.
- (2) Article 10 of Regulation (EU) No 1308/2013 provides that Union scales for the classification of carcasses laid down in point A of Annex IV to that Regulation are to

¹ OJ L 347, 20.12.2013, p. 671.

² Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) (OJ L 299, 16.11.2007, p. 1).

³ Commission Regulation (EC) No 315/2002 of 20 February 2002 on the survey of prices of fresh or chilled sheep carcasses on representative markets in the Community (OJ L 50, 21.2.2002, p. 47).

⁴ Commission Regulation (EC) No 1249/2008 of 10 December 2008 laying down detailed rules on the implementation of the Community scales for the classification of beef, pig and sheep carcasses and the reporting of prices thereof (OJ L 337, 16.12.2008, p. 3).

⁵ Commission Regulation (EU) No 807/2013 of 26 August 2013 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards the survey of prices of certain bovine animals on representative Union markets (OJ L 228, 27.8.2013, p. 5).

apply to bovine animals aged eight months or more. In order to ensure a uniform application, it is appropriate to allow Member States to make the application of the Union scale compulsory for carcasses of bovine as of a specific age determined on the basis of the identification and registration system provided for by Regulation (EC) No 1760/2000 of the European Parliament and of the Council⁶. That identification and registration system should also be used for the division of carcasses into categories as referred to in point A.II of Annex IV to Regulation (EU) No 1308/2013.

- (3) In order to reduce administrative burden, Member States should have the possibility to grant derogations from the general obligation to classify carcasses to small scale establishments. On the basis of experience gained with the application of the Union scale for classification, it is appropriate to provide for such derogations for slaughterhouses which slaughter, as an annual average per week, less than 150 bovine animals aged eight months or more or less than 500 pigs. Nevertheless, Member States may determine lower limits depending on their national conditions, especially in order to ensure the representativeness of price reporting.
- (4) As certain slaughterhouses fatten, in their own establishments, bovine animals aged eight months or more and pigs, there is no market price to be recorded for the carcasses of such animals. Therefore, the application of the compulsory Union classification scales is unnecessary in these cases. It is therefore appropriate to allow the Member States having this practice to derogate from the rules on compulsory carcass classifications as regards these carcasses. This derogation should be also allowed for the classification of carcasses of local pig breeds with a particular anatomical body composition or particular modes of marketing when they make the homogeneous and standardized classification of carcasses impossible.
- (5) In order to take account of the specificities of establishments and seasonal sheep slaughtering, it is appropriate to enable the Member States applying the sheep carcass classification provided for in Article 10 of Regulation (EU) No 1308/2013 to exempt from this classification some slaughterhouses on the basis of objective and non-discriminatory criteria.
- (6) In order to ensure the uniform classification of the carcasses of bovine animals aged eight months or more and of sheep in the Union, it is necessary to make more precise the definitions of the classes of conformation and fat cover, carcass weight and colour of meat referred to in points A.III and C.III of Annex IV to Regulation (EU) No 1308/2013. However, other criteria may be used for the carcasses of lambs of less than 13 kg weight.
- (7) Point A.III of Annex IV to Regulation (EU) No 1308/2013 provides for a conformation class S for carcasses obtained from bovine of the double muscled carcass type. Given that this exceptional conformation class is marketed only in some Member States, it is appropriate to provide that Member States have the option not to make use of the conformation class S.

⁶ Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products (OJ L 204, 11.8.2000, p. 1).

- (8) As the lean meat percentage of pig carcasses has increased steadily, the majority of pig carcasses are classified only in two classes. It is therefore necessary to allow Member States to further subdivide into subclasses the pig carcass classification classes laid down in point B.II of Annex IV to Regulation (EU) No 1308/2013, in order to ensure the differentiation of pig carcasses.
- (9) Taking into account the market requirements for the determination of the commercial value of the pig carcass, assessment criteria in addition to weight and the estimated lean-meat content should also be authorised.
- (10) In order to ensure the comparable market prices, point A.IV of Annex IV to Regulation (EU) No 1308/2013 sets out a standard carcass presentation. To reflect certain market demands in respect of carcass presentation, it is necessary to provide that Member States may apply a presentation of carcasses different from the one laid down in point A.IV of Annex IV to Regulation (EU) No 1308/2013 by application of corrective factors, for the purpose of establishing market prices.
- (11) In order to take into account the traditional practices of some Member States relating to the removal of external fat, it is appropriate to allow those Member States to continue to make use of such practices, providing certain requirements are fulfilled.
- (12) In order to ensure the accurate application of the Union classification scales and to improve market transparency, the conditions and practical methods for classification, weighing and marking of carcasses of bovine animals aged eight months or more and of pigs and of sheep, should be specified.
- (13) In the case of a technical breakdown of the automated grading method, it is appropriate to provide for certain derogations, in particular concerning the time limit for classifying and weighing carcasses.
- (14) The marking of carcasses should be carried out at the time of classification. Member States may decide not to mark the carcasses where official record keeping provides for the link between the carcasses and the classification results, in particular when carcasses are processed into cuts immediately after the carcass classification, which makes the marking of carcasses unnecessary.
- (15) In order to ensure the accuracy and reliability of the classification of carcasses of bovine animals aged eight months or more, of pigs and of sheep, that classification should be carried out by qualified classifiers having the necessary licence or approval or by using an authorized grading method.
- (16) With a view to authorising grading methods to direct assessment of the conformation and fat cover of carcasses of bovine animals aged eight months or more and of sheep, as well as of the lean meat percentage of carcasses of pigs, grading methods may be introduced when they are based on statistically proven methods. The authorisation of grading methods should be subject to compliance with certain conditions and requirements.
- (17) Provisions should be made for the possibility to modify, after a licence was granted, the technical specifications of the automated grading methods for the classification of carcasses of bovine animals aged eight months or more and of sheep, with a view to ensure the accuracy of those specifications.

- (18) The value of a pig carcass is determined in particular by its lean meat percentage in relation to its weight. The lean meat percentage is assessed by a grading method that should consist of an automated, semi-automated or manual grading technique and an assessment formula. The assessment formula should be made by measuring certain anatomical parts of the carcass by means of authorised and statistically proven methods. In order to ensure that the statistically proven methods are applied on an objective basis, it is necessary to inform the experts of Member States by means of protocols on the authorisation test and consult with these experts on the results of the test. While various methods can be applied for the assessment of the lean meat percentage of a pig carcass, it is necessary to ensure that the choice of the method does not affect the estimated lean meat percentage.
- (19) With a view to monitoring the comparable market prices of carcasses and live animals, it is necessary to provide that the price recording should refer to a well-defined marketing stage. It is necessary to determine the types of animals to which the price reporting relates.
- (20) The market prices of the different types of animals should be reported to the Commission in accordance with Commission Implementing Regulation (EU) ...⁷, which should serve as the basis for the determination of weighted average prices at Union level.
- (21) If a Member State has defined regions for the purpose of this Regulation, the regional prices determined should be taken into account in the national price calculation. In cases where any supplementary payments are made to suppliers of animals, establishments or persons that are obliged to report prices should be obliged to inform the competent authority about the supplementary payment in order to correct the national average price.
- (22) In order to ensure market monitoring and to compare price developments with certain reference prices laid down in Regulation (EU) No 1308/2013, it is necessary to calculate average Union prices for certain carcasses and live animals on the basis of certain information submitted by the Member States annually.
- (23) With a view to monitoring the reporting of carcass prices of bovine animals aged eight months or more and pigs, and calculating the weighting coefficients per categories, Member States should be obliged to notify the Commission periodically of certain information in accordance with Commission Implementing Regulation (EU) .../ (ISAMM)⁸ except for those notifications that are necessary for the organization of on-the-spot inspections or that serve a basis for having a complete overview of the meat market.
- (24) For the sake of clarity and legal certainty, Regulations (EC) No 315/2002, (EC) No 1249/2008 and (EU) No 807/2013 should be repealed.

⁷ Commission Implementing Regulation (EU) .../...of...laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the Unions scales for the classification of beef, pig and sheep carcasses and as regards the reporting of market prices of certain categories of carcasses and live animals (OJ L ..).

⁸ Commission Implementing Regulation (EU) .../... of... laying down rules for the application of Regulations (EU) No 1307/2013 and (EU) No 1308/2013 of the European Parliament and of the Council as regards notifications to the Commission of information and documents and amending and repealing several Commission Regulations (OJ L ..).

- (25) In view of the need to allow Member States to adapt to the new legal framework, this Regulation should apply 12 months after its entry into force,

HAS ADOPTED THIS REGULATION:

CHAPTER I UNION SCALES FOR THE CLASSIFICATION OF CARCASSES

Article 1

Identification of age and categories of bovine animals

The age of the bovine animals for the determination of the categories as referred to in point A.II of Annex IV to Regulation (EU) No 1308/2013 shall be verified on the basis of the information available in the bovine animal identification and registration system established in each Member State in accordance with Title I of Regulation (EC) No 1760/2000.

Article 2

Derogations from the compulsory classification of carcasses

1. Member States may decide that the requirements on classification of carcasses of bovine animals and of pigs, laid down in points A.V and B.II of Annex IV to Regulation (EU) No 1308/2013, respectively, shall not be compulsory for slaughterhouses which slaughter:

- (a) less than 150 bovine animals aged eight months or more per week as an annual average;
- (b) less than 500 pigs per week as an annual average.

Member States may determine a lower limit, in particular to ensure the representativeness of price recording as referred to in Article 8(2) of Implementing Regulation (EU) .../....

2. Member States may decide that the requirements on classification of carcasses of bovine animals and pigs shall not be compulsory:

- (a) for carcasses of bovines and pigs owned by the slaughterhouse if no commercial transaction in purchasing these animals takes place;
- (b) for carcasses of pigs of clearly defined local breeds or with particular modes of marketing if their anatomical body composition makes the homogeneous and standardized classification of carcasses impossible.

3. Member States that apply classification of sheep carcasses pursuant to the second paragraph of Article 10 of Regulation (EU) No 1308/2013 may decide, based on objective and non-discriminatory criteria, that the requirements on classification of sheep carcasses shall not be compulsory for certain slaughterhouses.

4. Member States shall notify the Commission if they decide to apply any of the derogations laid down in paragraphs 1, 2 and 3 of this Article.

Article 3

Additional provisions regarding the classes of conformation, fat cover and carcass weight for bovine animals and sheep

1. Additional provisions regarding the definitions of the classes of conformation and fat cover for carcasses of bovine animals aged eight months or more and sheep referred to in points A.III and C.III of Annex IV to Regulation (EU) No 1308/2013 are laid down in Annexes I and II to this Regulation.
2. Additional provisions regarding the classification of lambs of less than 13 kg carcass weight are laid down in Annex III to this Regulation.

Article 4

Conformation class S

Member States may decide not to apply the conformation class S for beef carcasses referred to in point A.III of Annex IV to Regulation (EU) No 1308/2013 taking into account the particular characteristics of their bovine livestock.

Article 5

Classification of pig carcasses

Member States may further subdivide into subclasses the pig carcass classification classes laid down in point B.II of Annex IV to Regulation (EU) No 1308/2013.

Member States may authorise further assessment criteria, in addition to weight and estimated lean meat percentage referred to in point B.II of Annex IV to Regulation (EU) No 1308/2013, to determine the commercial value of the pig carcasses.

Article 6

Additional requirements on carcass presentation for the purpose of establishing comparable market prices

1. Without prejudice to points A.IV, B.III and C.IV of Annex IV to Regulation (EU) No 1308/2013, no fat, muscle or other tissue may be removed from the carcass before weighing, classifying and marking, except for cases when veterinary requirements are applied.
2. Carcasses of bovine animals aged less than eight months shall be presented in accordance with point A.IV of Annex IV to Regulation (EU) No 1308/2013 and without:
 - (a) thin skirt;
 - (b) thick skirt.

3. Carcasses of bovine animals aged eight months or more shall be presented without:
 - (a) kidneys;
 - (b) kidney fat;
 - (c) pelvic fat;
 - (d) thin skirt;
 - (e) thick skirt;
 - (f) the tail;
 - (g) the spinal cord;
 - (h) cod fat;
 - (i) fat on the inside of topside;
 - (j) jugular vein and the adjacent fat.

4. For the application of the second paragraph of point A.V of Annex IV to Regulation (EU) No 1308/2013 and by way of derogation from paragraph 1 of this Article, Member States may allow the removal of external fat before weighing, classifying and marking of the carcass provided that such removal allows a more objective judgement of the conformation and the fat cover is not influenced. Member States shall ensure that this practice is regulated by national legislation and shall involve exclusively the partial removal of external fat:
 - (a) from the haunch, the sirloin and the middle ribs;
 - (b) from the point end of brisket and the outer ano-genital area;
 - (c) from the topside.

Article 7
Classification and weighing

1. The classification referred to in points A.II, A.III, B.II, C.II and C.III of Annex IV to Regulation (EU) No 1308/2013 shall be carried out in the slaughterhouse at the time of determining the warm weight of the carcass.
2. The Commission may authorise classification before weighing in accordance with Article 11 of this Regulation if certain grading methods applied in the territory of a Member State require this.
3. The carcasses shall be weighed as soon as possible after slaughter and not later than:
 - (a) 60 minutes after the animal has been stuck, as regards bovine animals and sheep;

- (b) 45 minutes after the animal has been stuck, as regards pigs.
4. In the case of pigs, if in a given slaughterhouse, the 45-minute time period between the sticking and the weighing of the carcasses cannot generally be observed, the competent authority of the Member State concerned may allow that the deduction of 2 % as referred to in Article 14(3):
- (a) shall be reduced by 0,1 per cent units for every additional quarter of an hour or part thereof that has elapsed when the period between sticking and weighing exceeds the 45 minutes;
 - (b) can be increased by certain per cent units established by the Member State concerned when the period between sticking and weighing is shorter than 45 minutes. In this case the deduction shall be justified on the basis of scientific data.
5. In cases where beef or sheep automated grading methods referred to in Article 10 fail to classify carcasses, classification of these carcasses shall take place on the day of slaughter or, if the required period between sticking and weighing has expired on the day after the slaughter, classification shall take place as soon as possible on that day.

Article 8
Marking of carcasses

1. The marking of carcasses shall be carried out at the time of classification.
2. The marking shall be performed by means of a stamp or a label indicating at least:
 - (a) for beef and sheep, the category, the class of conformation and fat cover referred to in points A.II, A.III, C.II and C.III of Annex IV to Regulation (EU) No 1308/2013 respectively;
 - (b) for pigs, the class of the carcass or the percentage of estimated lean meat as laid down in point B.II of Annex IV to Regulation (EU) No 1308/2013.
3. The marking shall be located on the surface of at least:
 - (a) each quarter of beef carcass;
 - (b) each carcass or half carcass of sheep;
 - (c) each half carcass of pigs.

Stamp markings shall be located on the outside surface of the carcass. Labels may be located on the outside or inside surface of the carcass.

4. Stamp markings shall be clearly legible and performed by using an indelible, non-toxic and heat resistant ink.
5. Labels shall be clearly legible, tamper-proof and firmly attached to the carcasses.

6. Member States may lay down that carcasses may not be marked in the following cases:
 - (a) an official record is drawn up and comprises for each carcass at least:
 - (i) individual identification of the carcass by any unalterable means,
 - (ii) warm weight of the carcass, and
 - (iii) result of the classification;
 - (b) all the carcasses are cut, as a continuous operation, in a cutting plant approved in accordance with Regulation (EC) No 853/2004 of the European Parliament and of the Council⁹ and attached to the slaughterhouse.
7. Member States may lay down national provisions on additional requirements on marking.

Article 9

Methods for classification of beef, pig and sheep carcasses

1. Member States shall ensure that beef, pig and sheep carcass classification is carried out:
 - (a) by qualified classifiers who have obtained a licence for visual classification of carcasses. The licence may be replaced by an approval granted by the Member State where such approval corresponds to recognition of a qualification; or
 - (b) by using authorised grading methods that may consist of automated or semi-automated or manual grading techniques as provided for in Articles 10 and 11. Member States shall ensure that the grading techniques are operated by qualified personnel

Article 10

Authorisation of automated grading methods for beef and sheep carcasses

1. Member States may grant a licence authorising beef and sheep automated grading methods that consist of an automated grading technique (apparatus) and an equation (formula) for application in their territory or a part thereof.
2. Authorisation shall be subject to meeting the conditions and minimum requirements for an authorisation test laid down in Part A of Annex IV.

⁹ Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin (OJ L 139, 30.4.2004, p. 55).

3. At least two months prior to the start of the authorisation test, Member States shall provide the Commission with the information referred to in Part B of Annex IV in order to allow the Commission to participate in the authorisation test.
4. Member States shall designate an independent body which shall analyse the results of the authorisation test. Within two months upon completion of the authorisation test, Member States shall provide the Commission with the information referred to in Part C of Annex IV.
5. Where a licence is granted authorising beef or sheep automated grading methods based on an authorisation test during which more than one carcass presentation was used, the differences between those carcass presentations shall not lead to differences in the classification results.
6. Member States may authorise beef and sheep automated grading methods without organising an authorisation test, provided that such authorisation has already been granted for the same grading methods for application in another Member State on the basis of an authorisation test where the sample of carcasses is sufficiently representative for the bovine or sheep population in the Member States concerned.
7. Modifications of the technical specifications of an authorised beef or sheep automated grading method shall be approved by the competent authorities subject to proof that such modifications result in a level of accuracy that at least fulfils the minimum requirements for an authorisation test.

Member States shall inform the Commission of any such modifications for which they have given their approval.

Article 11

Authorisation of grading methods for pig carcasses

1. A grading method as referred to in point B.IV of Annex IV to Regulation (EU) No 1308/2013 shall consist of an automated, semi-automated or manual grading technique (apparatus) and an equation (formula) to estimate the lean meat percentage of a pig carcass.
2. Authorisation shall be subject to meeting the conditions and minimum requirements for an authorisation test in accordance with Part A of Annex V to this Regulation.
3. Member States shall inform the Commission, by way of a protocol as specified in Part B of Annex V to this Regulation, on the pig grading methods they wish to have authorised for application in their territories.

The protocol shall have two parts and shall include the elements provided for in Part B of Annex V to this Regulation.

Part one of the protocol shall be submitted to the Commission prior to the start of the authorisation test. Within two months upon completion of the authorisation test, Member States shall provide the Commission with part two of the protocol.

4. After receiving the protocol, the Commission shall make it available to the other Member States. Other Member States may submit technical comments within three weeks from the receipt of the protocol. The Member State that submitted the protocol may adapt it and re-submit a new protocol within eight weeks after submission of the first protocol.
5. The application of grading methods shall correspond in all particulars to the description given in the Commission decision authorising them.
6. The Commission may authorise grading methods without an authorisation test, provided that such authorisation has already been granted for the same grading method applicable in another Member State on the basis of an authorisation test where the sample of carcasses is sufficiently representative of pig populations in the Member States concerned.

Article 12

Additional provisions on classification by automated grading techniques

1. Slaughterhouses operating classification by using automated grading techniques as laid down in Articles 10(1) and 11(1) shall:
 - (a) as regards beef carcasses, identify the category of the carcass by using the system for the identification and registration of bovine animals established pursuant to Article 1;
 - (b) keep daily control reports on the functioning of the automated grading methods, including any shortcomings encountered and actions taken where necessary.
2. Classification by automated grading techniques shall be valid only if:
 - (a) the carcass presentation is identical to the presentation used during the authorisation test; or
 - (b) it is demonstrated, to the satisfaction of the competent authorities of the Member State concerned, that using a different carcass presentation has no effect on the classification result by the automated grading methods.

CHAPTER II

REPORTING OF MARKET PRICES FOR CARCASSES AND LIVE ANIMALS

Article 13

General provisions on reporting of market prices

For the purpose of establishing market prices of certain categories of animals, market prices shall be reported in accordance with Article 15 of Implementing Regulation (EU) ../. for:

- (a) carcasses of:
 - (i) bovine animals aged eight months or more,

- (ii) pigs,
 - (iii) bovine animals aged less than eight months,
 - (iv) sheep aged less than 12 months;
- (b) live animals of:
- (i) male calves aged between eight days and four weeks,
 - (ii) store cattle,
 - (iii) piglets of approximately 25 kg in live weight.

Article 14

Reporting of market prices for carcasses of bovine animals aged eight months or more and of pigs

1. The market price reported shall be the price at the slaughterhouse gate expressing the value of the carcass, net of value added tax, according to the documents issued to the supplier by:
 - (a) the slaughterhouse; or
 - (b) the natural or legal person who sent the animal for slaughter to the slaughterhouse.
2. The price referred to in paragraph 1 shall be expressed per 100 kg of carcass presented in accordance with Article 6 weighed on the hook at the slaughterhouse.
3. The carcass weight to be taken into account for reporting the market price shall be the cold weight which shall correspond to the warm weight as referred to in Article 7(1) less 2 %.
4. The prices for classified carcasses reported by the slaughterhouse or the natural or legal person who sent the animal for slaughter to the slaughterhouse shall be either the average price per class or the prices of carcasses per each class. In that case if prices of carcasses per each class are reported, the competent authority shall calculate the average price per class.

Article 15

Reporting of market prices for carcasses of bovine animals aged less than eight months and of sheep aged less than 12 months

1. As regards carcasses of bovine animals aged less than eight months and of sheep aged less than 12 months, the market price reported shall be the average of the prices paid at the slaughterhouse gate expressing the value of the carcass, net of value added tax, and weighted by a coefficient. The coefficient shall reflect:
 - (a) the relative proportion of:

- (i) the different qualities of carcasses of bovine animals aged less than eight months, as defined by the Member State, or
 - (ii) the different weight categories of carcasses of sheep aged less than 12 months, as defined by the Member State; and
- (b) the relative importance of each market.
2. The market price referred to in paragraph 1 shall be expressed per 100 kg of carcass presented in accordance with Article 6 weighed on the hook at the slaughterhouse.
 3. For carcasses of bovine animals aged less than eight months the weight to be taken into account for reporting the market price shall be the cold weight which shall correspond to the warm weight as referred to in Article 7(1) less 2 %.
 4. For carcasses of sheep aged less than 12 months the weight to be taken into account for reporting the market price shall be the cold weight which shall correspond to the warm weight of the carcass corrected to take account of weight loss on chilling.

Article 16
Reporting of market prices for live animals

1. For the purposes of reporting market prices, live animals listed in Article 13(b) shall be classified in the following different types:
 - (a) as regards male calves aged between eight days and four weeks:
 - (i) 'dairy type male rearing calf' for male rearing calf from dairy breed,
 - (ii) 'beef type male rearing calf' for male rearing calf from a meat breed, dual purpose breed or born of a cross with a meat breed;
 - (b) as regards store cattle:
 - (i) 'young store cattle' for male and female bovine animals aged six months or more but less than 12 months, bought after weaning to be fattened,
 - (ii) 'yearling male store cattle' for male bovine animals aged 12 months or more but less than 24 months, bought to be fattened,
 - (iii) 'yearling female store cattle' for female bovine animals aged 12 months or more but less than 24 months, bought to be fattened;
 - (c) as regards pigs: 'piglets' for pigs weighing on average approximately 25 kg in live weight, bought to be fattened.
2. The market price reported shall be the average of the prices paid in that Member State at the same wholesale stage, for the type of animal as referred to in paragraph 1, net of value added tax and weighted by coefficients. The coefficients shall reflect the relative proportion of the different qualities of the animals referred to in paragraph 1(a), (b) and (c) and the relative importance of each market.

Article 17

Additional provisions for reporting of market prices for carcasses and live animals

1. Where a Member State has defined regions in accordance with Article 6 of Implementing Regulation (EU) .../..., the competent authority of the Member State shall determine average regional prices for each class and quality of carcasses as well as for each type and quality of live animals as referred to in Articles 14, 15 and 16 of this Regulation, respectively.
2. Where supplementary payments are made by the slaughterhouse or natural or legal person required to report prices to suppliers of carcasses or live animals, Member States may take into account the amount of such payments and the period to which it relates. If a Member State decides to take into consideration the supplementary payments made to suppliers of carcasses or live animals, the slaughterhouse or the natural or legal person required to report prices shall notify the competent authority of the amount of any supplementary payments each time such payment is made.

CHAPTER III CALCULATION OF AVERAGE UNION PRICE

SECTION I AVERAGE UNION PRICE FOR CARCASSES

Article 18

Average Union price for beef

1. For a given category specified in point A.II of Annex IV to Regulation (EU) No 1308/2013:
 - (a) the average Union price for each of the conformation and fat cover classes listed in Article 7 of Implementing Regulation (EU) .../... shall be the weighted average of the national market prices recorded for the class. Weighting shall be based on the proportion of quantities of that class slaughtered in each Member State to total Union slaughterings of that class;
 - (b) the average Union price for each conformation class shall be the weighted average of the average Union prices for the fat cover classes which constitute that conformation class. Weighting shall be based on the proportion of slaughterings of each fat cover class to total slaughterings of that conformation class in the Union;
 - (c) the average Union price shall be the weighted average of the average Union prices referred to in point (a). Weighting shall be based on the proportion of the quantities slaughtered in each class referred to in point (a) to total Union slaughterings in the category.
2. The average Union price for all categories together shall be the weighted average of the average prices referred to in paragraph 1(c). Weighting shall be based on the

proportion of each category to total slaughterings of bovine animals aged eight months or more in the Union.

Article 19
Average Union price for pigs

The average Union price of each class listed in Article 9 of Implementing Regulation (EU) .../... shall be the weighted average of the national market prices recorded for the class. Weighting shall be based on the proportion of quantities of that class slaughtered in each Member State to total Union slaughterings of that class.

Article 20
Average Union price for bovine animals aged less than eight months

The average Union price of bovine animals slaughtered at the age of less than eight months shall be the average of the prices recorded for those bovines as referred to in Article 10 of Implementing Regulation (EU) .../.... That average shall be weighted by coefficients established on the basis of the net production of those bovines in the Union.

Article 21
Average Union price for sheep aged less than 12 months

The average Union price of sheep aged less than 12 months shall be the average of the prices recorded for different weight categories as referred to in Article 11 of Implementing Regulation (EU) .../.... That average shall be weighted by coefficients established on the basis of the net production of those lambs in the Union.

SECTION II
AVERAGE UNION PRICE FOR LIVE ANIMALS

Article 22
Average Union price for male calves aged between eight days and four weeks

1. The average Union price, per head, of male calves aged between eight days and four weeks shall be the average of the prices recorded for dairy type male rearing calves and beef type male rearing calves in accordance with Article 12 of Implementing Regulation (EU) .../.....
2. The average of the prices recorded shall be weighted by coefficients established on the basis of the number of cows recorded in the Union, in accordance with

Regulation (EC) No 1165/2008 of the European Parliament and of the Council¹⁰ as follows:

- (a) as regards dairy type male rearing calves, the number of dairy cows;
- (b) as regards beef type male rearing calves, the number of cows.

Article 23

Average Union price for store cattle

1. The average Union price, per kilogram of live weight, of store cattle shall be the average of the prices recorded for young store cattle, yearling male store cattle and yearling female store cattle in accordance with Article 12 of Implementing Regulation (EU)/....
2. The average of the prices recorded shall be weighted by coefficients established on the basis of the number of bovine animals recorded in the Union in accordance with Regulation (EC) No 1165/2008 as follows:
 - (a) as regards young store cattle, the number of bovine animals aged not over one year and not for slaughter;
 - (b) as regards yearling male store cattle, the number of male bovine animals aged over one year but under two years;
 - (c) as regards yearling female store cattle, the number of female bovine animals aged over one year but under two years and which have not yet calved.

Article 24

Average Union price for piglets

The average Union price of piglets of approximately 25 kg in live weight shall be the average of the prices recorded for piglets in accordance with Article 12 of Implementing Regulation (EU)/.... . That average shall be weighted by coefficients established on the basis of the number of piglets recorded in the Union in accordance with Regulation (EC) No 1165/2008.

CHAPTER IV NOTIFICATIONS

Article 25

Notifications of Member States to the Commission

1. Notifications as referred to in this Article shall be made in accordance with Implementing Regulation (EU)/..(ISAMM).

¹⁰ Regulation (EC) No 1165/2008 of the European Parliament and of the Council of 19 November 2008 concerning livestock and meat statistics and repealing Council Directives 93/23/EEC, 93/24/EEC and 93/25/EEC (OJ L 321, 1.12.2008, p. 1).

2. No later than 15 April each year, Member States shall notify the Commission of the total number of bovine animals aged eight months or more, of pigs and sheep slaughtered in the previous calendar year broken down as follows:
 - (a) in the case of bovine animals, the total number for each category, conformation and fat cover classes;
 - (b) in the case of pigs, the total number for each carcass class;
 - (c) in the case of sheep, the total number for each weight categories.
3. Member States shall make available to the Commission, on request, the lists of:
 - (a) slaughterhouses which record prices, in accordance with Article 8 of Implementing Regulation (EU) .../... indicating the throughput of bovine animals aged eight months or more for each slaughterhouse, expressed in numbers, in the previous calendar year;
 - (b) natural or legal persons who record prices, in accordance with Article 8 of Implementing Regulation (EU) .../... indicating the number of bovine animals aged eight months or more, sent for slaughter by them in the previous calendar year.
4. The Member States shall, at the Commission's request, notify the following information, where available, concerning products covered by Parts XV, XVII and XVIII of Annex I to Regulation (EU) No 1308/2013:
 - (a) market prices in Member States for products imported from third countries;
 - (b) prices ruling on the representative markets in third countries.
5. The Member States concerned shall notify the Commission of the qualities of carcasses and live animals, and the weighting coefficients as referred to in Articles 14, 15 and 16 of this Regulation as well as the corrective factors and the representative markets referred to in Articles 5, 10, 11 and 12 of Implementing Regulation (EU) .../..., no later than 1 June each year.
6. On the request of the Commission, Member States shall notify the measures taken for the application of Article 3(1) and (2) of Implementing Regulation (EU) .../...

CHAPTER V FINAL PROVISIONS

Article 26 Repeals

Regulations (EC) No 315/2002, (EC) No 1249/2008 and (EU) No 807/2013 are repealed.

References to the repealed Regulations (EC) No 315/2002, (EC) No 1249/2008 and (EU) No 807/2013 shall be construed as references to this Regulation and to Implementing Regulation

(EU) .../... and shall be read in accordance with the correlation table in Annex VI to this Regulation.

Article 27
Entry into force and application

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

This Regulation shall apply from [12 months after its entry into force].

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

Done at Brussels, 20.4.2017

For the Commission
The President
Jean-Claude JUNCKER