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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: ANNEXES to the COMMISSION DELEGATED REGULATION (EU) .../...
amending Delegated Regulation (EU) No 639/2014 as regards the control
measures relating to the cultivation of hemp, certain provisions on the
greening payment, the payment for young farmers in control of a legal
person, the calculation of the per unit amount in the framework of voluntary
coupled support, the fractions of payment entitlements, and certain
notification requirements relating to the single area payment scheme and
the voluntary coupled support, and amending Annex X to Regulation (EU)
No 1307/2013 of the European Parliament and of the Council

Delegations will find attached document C(2017) 735 final - ANNEXES 1 to 2.

Encl.: C(2017) 735 final - ANNEXES 1 to 2



Brussels, 15.2.2017
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ANNEXES 1 to 2

ANNEXES

to the

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

amending Delegated Regulation (EU) No 639/2014 as regards the control measures relating to the cultivation of hemp, certain provisions on the greening payment, the payment for young farmers in control of a legal person, the calculation of the per unit amount in the framework of voluntary coupled support, the fractions of payment entitlements, and certain notification requirements relating to the single area payment scheme and the voluntary coupled support, and amending Annex X to Regulation (EU) No 1307/2013 of the European Parliament and of the Council

ANNEX I

"Annex III

Union method for the quantitative determination of the Δ^9 -tetrahydrocannabinol content in hemp varieties

1. Scope

The method set out in this Annex seeks to determine the Δ^9 -tetrahydrocannabinol (hereinafter referred to as THC) content of varieties of hemp (*Cannabis sativa* L.). As appropriate, the method involves applying procedure A or B as described in this Annex.

The method is based on the quantitative determination of THC by gas chromatography (GC) after extraction with a suitable solvent

1.1. Procedure A

Procedure A shall be used for checks on the production of hemp as referred to in Article 32(6) of Regulation (EU) No 1307/2013 and Article 30(g) of Commission Implementing Regulation (EU) No 809/2014*.

1.2. Procedure B

Procedure B shall be used in cases as referred to in Article 36(6) of Implementing Regulation (EU) No 809/2014.

2. Sampling

2.1. Samples

The samples shall be taken during the day following a systematic pattern to ensure that the sample is representative of the field, but excluding the edges of the crop.

2.1.1. Procedure A: in a standing crop of a given variety of hemp, a 30 cm part containing at least one female inflorescence of each plant selected shall be taken. Sampling shall be carried out during the period running from 20 days after the start of flowering to 10 days after the end of flowering.

Member States may authorise sampling to be carried out during the period from the start of flowering to 20 days after the start of flowering provided that, for each variety grown, other representative samples are taken in accordance with the first subparagraph during the period from 20 days after the start of flowering to 10 days after the end of flowering.

For hemp cultivated as catch crop, in the absence of female inflorescences, the top 30 cm of the plant stem shall be taken. In that case sampling shall be carried out just before the end of the vegetation period, once the leaves begin presenting the first signs of yellowing, however no later than the onset of a forecast period of frost.

2.1.2. Procedure B: in a standing crop of a given variety of hemp, the upper third of each plant selected shall be taken. Sampling shall be carried out during the 10 days following the end of flowering or, for hemp cultivated as catch crop, in the absence

of female inflorescences, just before the end of the vegetation period, once the leaves begin presenting the first sign of yellowing, but no later than the onset of a forecast period of frost. In the case of dioecious varieties, only female plants shall be taken.

2.2. Sample size

Procedure A: the sample shall comprise parts of 50 plants per field.

Procedure B: the sample shall comprise parts of 200 plants per field.

Each sample shall be placed in a fabric or paper bag, without crushing it, and be sent to the laboratory for analysis.

The Member State may provide for a second sample to be collected for counteranalysis, if required, to be kept either by the producer or by the body responsible for the analysis.

2.3. Drying and storage of the sample

Drying of the samples shall begin as soon as possible and, in any case, within 48 hours using any method below 70 °C.

Samples shall be dried to a constant weight and to a moisture content of between 8 % and 13 %.

After drying, the samples shall be stored without crushing them at below 25 °C in a dark place.

3. Determination of THC content

3.1. Preparation of the test sample

Stems and seeds over 2 mm in size shall be removed from the dried samples.

The dried samples shall be grinded to obtain a semi-fine powder (passing through a 1 mm mesh sieve).

The powder may be stored for 10 weeks at below 25 °C in a dark, dry place.

3.2. Reagents and extraction solution.

Reagents

- Δ^9 -tetrahydrocannabinol, pure for chromatographic purposes,
- Squalane, pure for chromatographic purposes, as an internal standard.

Extraction solution

- 35 mg of squalane per 100 ml hexane.

3.3. Extraction of THC

100 mg of the powdered test sample shall be weighed, be placed in a centrifuge tube and 5 ml

of extraction solution shall be added containing the internal standard.

The sample shall be placed in an ultrasound bath and be left for 20 minutes. It shall be centrifuged for five minutes at 3 000 r.p.m. and then the supernatant THC solution shall be removed. The solution shall be injected into the chromatograph and a quantitative analysis shall be carried out.

3.4. Gas chromatography

(a) Apparatus

- gas chromatograph with a flame ionisation detector and a split/splitless injector,
- column allowing good separation of cannabinoids, for example a glass capillary column 25 m long and 0,22 mm in diameter impregnated with a 5 % non-polar phenyl-methyl-siloxane phase.

(b) Calibration ranges

At least three points for procedure A and five points for procedure B, including points 0.04 and 0.50 mg/ml THC in extraction solution.

(c) Experimental conditions

The following conditions are given as an example for the column referred to in (a):

- oven temperature 260 °C
- injector temperature 300 °C
- detector temperature 300 °C

(d) Volume injected: 1 µl

4. Results

The findings shall be expressed to two decimal places in grams of THC per 100 grams of analytical sample dried to constant weight. A tolerance of 0,03 g per 100 g shall apply.

- Procedure A: one determination per test sample.

However, where the result obtained is above the limit laid down in Article 32(6) of Regulation (EU) No 1307/2013, a second determination shall be carried out per analysis sample and the mean value of the two determinations shall be taken as the result.

- Procedure B: the result shall correspond to the mean value of two determinations per test sample.

* Commission Implementing Regulation (EU) No 809/2014 of 17 July 2014 laying down rules for the application of Regulation (EU) No 1306/2013 of the

European Parliament and of the Council with regard to the integrated administration and control system, rural development measures and cross compliance (OJ L 227, 31.7.2014, p. 69).'

ANNEX II

"Annex X

Conversion and weighting factors referred to in Article 46(3)

Features	Conversion factor (m/tree to m ²)	Weighting factor	Ecological focus area (if both factors are applied)
Land lying fallow (per 1 m ²)	n.a.	1	1 m ²
Terraces (per 1 m)	2	1	2 m ²
Landscape features:			
Hedges/wooded strips /trees in line (per 1 m)	5	2	10 m ²
Isolated tree (per tree)	20	1,5	30 m ²
Field copses (per 1 m ²)	n.a.	1,5	1,5 m ²
Ponds (per 1 m ²)	n.a.	1,5	1,5 m ²
Ditches (per 1 m)	5	2	10 m ²
Traditional stone walls (per 1 m)	1	1	1 m ²
Other features not listed above but protected under GAEC7, SMR 2 or SMR 3 (per 1 m ²)	n.a.	1	1 m ²
Buffer strips and field margins (per 1 m)	6	1,5	9 m ²
Hectares of agro-forestry (per 1 m ²)	n.a.	1	1 m ²
Strips of eligible hectares along forest edges (per 1 m)			
Without production	6	1,5	9 m ²
With production	6	0,3	1,8 m ²
Areas with short rotation coppice (per 1 m ²)	n.a.	0,3	0,3 m ²
Afforested areas as referred to in Article 32(2)(b)(ii) (per 1 m ²)	n.a.	1	1 m ²
Areas with catch crops or green cover (per 1 m ²)	n.a.	0,3	0,3 m ²
Areas with nitrogen fixing crops (per 1 m ²)	n.a.	0,7	0,7 m ²

Conversion and weighting factors referred to in Article 46(3) to be applied to features included in the equivalent practices as listed in Section III of Annex IX

Equivalent ecological focus area	Similar standard ecological focus area	Conversion factor	Weighting factor	Ecological focus area (if both factors are applied)
(1) Ecological set-aside (per 1 m ²)	Land lying fallow	n.a.	1	1 m ²
(2) Creation of "buffer zones" (per 1 m)	Buffer strips and field margins	6	1,5	9 m ²
(3) Management of uncultivated buffer strips and field margins (per 1 m)	Buffer strips and field margins	6	1,5	9 m ²
(4) Borders, in-field strips and patches:				
Borders, in-field strips (per 1 m)	Buffer strips and field margins	6	1,5	9 m ²
Patches (per 1 m ²)	Field copses	n.a.	1,5	1,5 m ²
(5) Management of landscape features:				
Isolated tree (per tree)	Isolated tree	20	1,5	30 m ²
Trees in line (per 1 m)	Hedges/wooded strips/trees in line	5	2	10 m ²
Group of trees/Field copses (per 1 m ²)	Field copses	n.a.	1,5	1,5 m ²
Hedgerows (per 1m)	Hedges/wooded strips/trees in line	5	2	10 m ²
Riparian woody vegetation (per 1m)	Hedges/wooded strips/trees in line	5	2	10 m ²
Terraces (per 1m)	Terraces	2	1	2 m ²
Stone walls (per 1m)	Traditional stone walls	1	1	1 m ²
Ditches (per 1m)	Ditches	5	2	10 m ²
Ponds (per 1 m ²)	Ponds	n.a.	1,5	1,5 m ²
(6) Keeping arable peaty or wet soils under grass (no use of fertilisers and no use of plant protection products) (per 1 m ²)	Land lying fallow	n.a.	1	1 m ²
(7) Production on arable land with no use of fertiliser and/or plant protection products, and not irrigated, not sown with the same crop two years in a row (per 1 m ²)	Areas with short rotation coppice; Strips along forest edges with production; Areas with nitrogen-fixing crops	n.a.	0,3 0,7 for nitrogen-fixing crops	0,3 m ² 0,7 m ²
8) Conversion of arable land into permanent grassland (per 1 m ²)	Land lying fallow	n.a.	1	1 m ²