



Support Buying of Cereals IM(C)15 2008 - 2009



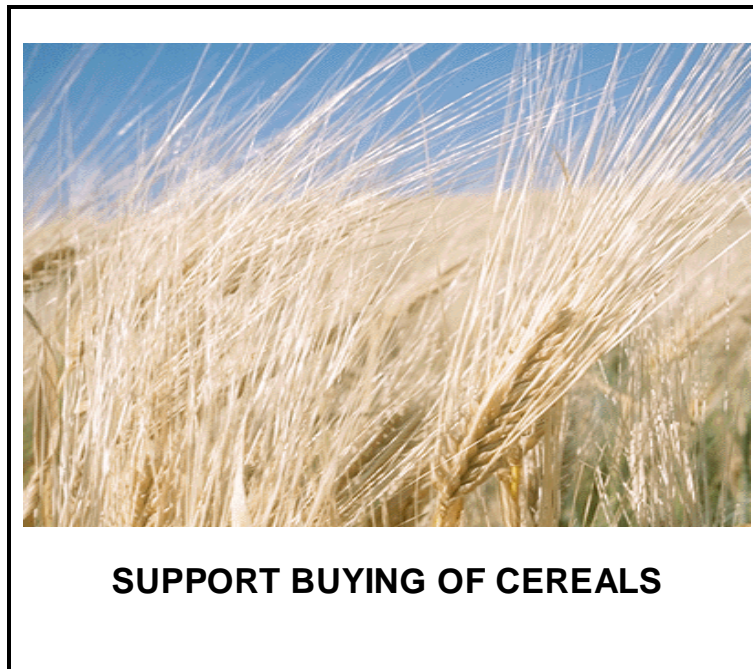
RURAL PAYMENTS AGENCY

LEAFLET NUMBER IM(C)15

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EXPLAINING THE COMMON AGRICULTURAL POLICY

OF THE EUROPEAN COMMUNITIES FOR



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This leaflet deals only with EC Regulations and directives and procedures and forms required for the purposes of the Common Agricultural Policy.

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SECTION I - INTRODUCTION

1. LEGISLATIVE FRAMEWORK AND LEAFLETS

- 1.1 This leaflet describes the arrangements in the UK for the support buying of cereals arising from Community Regulations (EC) Nos 1234/2007 and 687/2008. This leaflet replaces all other issues and should be read in conjunction with the following leaflets, revised in May 2008, which are also available from the Rural Payments Agency:

IM(C)17 - Analytical methods determining physical qualities of cereals;

IM(C)18 - The basic methods for sampling cereals;

IM(C)19 - Analytical methods determining common wheat technical qualities.

- 1.2 This leaflet forms the contract conditions to apply to all intervention purchase contracts concluded between the Agency and offerers of cereals into intervention.
- 1.3 If you have any queries regarding these leaflets, please contact our Cereals Intervention Section on the telephone numbers in the first page of this leaflet.

2. DEFINITIONS

| | | |
|------|-----------------|---|
| 2.1 | Consignment | Total tonnage constituting a single offer to the Agency. |
| 2.2 | DARD | Department of Agriculture and Rural Development. |
| 2.3 | Definitive Test | Assessment of all those quality characteristics relevant to eligibility for purchase and subsequent price bonuses or discounts. |
| 2.4 | Defra | Department for Environment, Food and Rural Affairs. |
| 2.5 | Load | Part of a lot/consignment forming a separate and identifiable quantity for transport purposes. |
| 2.6 | Lot | An identifiable portion of the total consignment. |
| 2.7 | WAG DRA | Welsh Assembly Government Department of Rural Affairs |
| 2.8 | RPAI | Rural Payments Agency Inspectorate. |
| 2.9 | SGRIPD | Scottish Government Rural Inspections and payments Directorate |
| 2.10 | Wheat | Common wheat of breadmaking quality conforming to the criteria set out in Annex 4. |

3. FORMS

| | | |
|-----|-----------------------|--|
| 3.1 | Claim Form | CEPU11 - Claim for payment for wheat or barley delivered into intervention. |
| 3.2 | Delivery Instructions | CEPU3 - Letter confirming contract acceptance and delivery details. |
| 3.3 | Delivery Order | CEPU4 - Load delivery order. |
| 3.4 | In situ Offer Form | CEPU5 – Offer to sell wheat or barley into intervention in situ. |
| 3.5 | Offer Form | CEPU1 - Offer to sell wheat or barley into intervention. |
| 3.6 | Pricing Document | CEPU14 - "Statement of sums due" cereals purchases pricing document. |
| 3.7 | Offer of Storage | P8 – Offer of storage to house intervention cereals (commercial and in situ) |
| 3.8 | Takeover Certificate | CEPU13 - Contract control and quality record |

SECTION II - SUMMARY OF CONDITIONS FOR THE PURCHASE OF CEREALS INTO INTERVENTION

4. GENERAL

687/2008
Art 1 & 2

4.1 We will purchase wheat or barley providing that they:

- are of Community origin;
- are a homogenous batch satisfying minimum quality and quantity conditions;
- are offered in accordance with the arrangements as explained in this leaflet;
- are offered from up to four locations;

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- are offered as **available for immediate delivery** (from specified locations and available for inspection prior to delivery) to the nearest intervention centre (see Annex 6); and
- are delivered to an intervention store within a delivery schedule both of which we will define.

4.2 The prices we pay will vary according to;

- the quality of cereals delivered;
- the date of offer (which determines the operative event for the euro exchange rate);
- the date scheduled for commencement of delivery (which determines the intervention price – see Annex 3);

1913/2006
Art 8 & 11

687/2008
Art 9

687/2008
Art 2 & 6

4.3 As an exception to the normal arrangements requiring delivery to an intervention store, we may agree to take over cereals where they are lying (in-situ takeover). For details, see Annex 11.

4.4 Once an offer is made and we post delivery instructions, a legally binding contract exists between us and the offerer. The contract conditions (as explained in this leaflet) must be strictly observed even if they conflict with the offerer's normal sales practices.
Penalties will apply to breaches of contract as set out in Part VI of this leaflet. You are advised to familiarise yourself with these.

5. INTERVENTION BUYING-IN PERIOD

1234/2007
Art 11

5.1 All offers of cereals must be dated and received by us during the period 1 November of one year to 31 May of the following year.

6. ELIGIBLE CEREALS

- 6.1 The cereals that may be offered into intervention are wheat and barley.

7. MINIMUM QUANTITY

687/2008
Art 1

- 7.1 A consignment offered to us must be at least 100 tonnes but may be formed by pooling up to four separate lots.
- 7.2 It is the offerer's responsibility to ensure that the minimum specified quantity is delivered to the intervention store. We will normally allow a tolerance of up to plus or minus half a truck load (up to 13 tonnes) on deliveries against the contracted tonnage subject to the minimum delivery of 100 tonnes. Contracts will be closed when the quantity delivered to the intervention store falls within the contractual tonnage (plus or minus half a truck load) provided the minimum quantity (100 tonnes) is met.

8. MINIMUM QUALITY

687/2008
Art 4

- 8.1 To be accepted by the Agency, cereals must at the time of offer be of sound, fair and marketable quality defined as being:

- of a typical colour;
- free from abnormal smell;
- free from live pests (including mites) at any stage of their development (see Annex 7); and
- able to meet the minimum quality criteria set out in Annex 4.

687/2008
Annex 1

- 8.2 In addition, the temperature of the cereals at the time of delivery to the intervention store must not exceed:

- 18 degrees Celsius during November; and
- 15 degrees Celsius during any other month.

- 8.3 Offerers must satisfy themselves that the offered quantity meets all the eligibility conditions. Cereals which fail to meet the prescribed standards will not be accepted and the costs associated with rejected loads will be charged to the offerer.

9. PESTICIDE LEVELS AND SALMONELLA IN CEREALS

- 9.1 Offerers must ensure that cereals offered into intervention do not exceed the specified maximum residue limits (MRL) for pesticides and will be required to sign an appropriate declaration on the offer form.

Offers which are sampled prior to delivery may be subject to pesticide testing. Where such grain is found to contain levels of pesticide in excess of the MRL, the offer will be rejected and the incident reported to the Pesticide Safety Directorate.

NB. In the event that cereals are offered, and taken into store, which are found to contain levels of pesticide above the MRL, the offerer will be held responsible for any costs incurred in decontamination of the grain including any grain already in store to which the offer has been added.

- 9.2 Offerers must ensure that Salmonellae spp are not present in the cereals.

10. INTERVENTION PRICES

687/2008
Annex VII

- 10.1 Full details of intervention prices and price variations for differences in quality are set out at Annexes 2 and 5.

687/2008
Art 9

- 10.2 The basic price in euros paid for an offer will normally be the intervention price valid on the date specified as the first date for delivery to store on the delivery instructions. However, where delivery is scheduled for, or actually takes place, in a month in which the intervention price in euros is lower than that for the month of offer, the price for the month of date of receipt of offer will apply – see Annex 3.

1913/2006
Art 11

- 10.3 The price determined in euros will be converted into £ sterling using the most recent euro exchange rate set by the European Central Bank (ECB) prior to the first day of the month in which the operative event occurred. The operative event is the date the valid offer is received.
- 10.4 Offerers must agree any amendment to the delivery schedule with the Cereals Intervention Section. Requests may be made by telephone, but must be confirmed by fax, the same day. Amendment could result in a reduction in basic price for the entire consignment, in particular if deliveries are brought forward to an earlier month. Examples are shown in Annex 3.
- 10.5 Pricing arrangements for in-situ offers are set out in Annex 11.

SECTION III - PROCEDURES FOR OFFERING CEREALS INTO INTERVENTION

11. ENTITLEMENT TO OFFER

- 11.1 Anyone legally entitled to dispose of cereals can offer them into intervention. The Cereals Intervention Section and the RPAI will deal only with the offerer, who will be regarded as responsible for any consequences arising from the offer. Speculative offers, for example, where the consignment is not available for immediate delivery, are not permitted.
- 11.2 Anyone making an offer must be registered with the Agency. To register or change registration details, contact our Customer Service Centre on 0845 603 7777.

12. MAKING AN OFFER

12.1 An offer can be made either:

687/2008
Art 2

- on an offer form CEPU1. Forms are available from, and must be returned (top copy only) to the Cereals Intervention Section at the Agency (see Annex 1); or
 - by facsimile. A faxed offer must contain all of the information required in parts A and B of form CEPU1, including the declaration; or
 - by e-mail to cerealsintervention@rpa.gsi.gov.uk provided all of the information required in parts A and B of form CEPU 1 is supplied, including the declaration.
- 12.2 The date of receipt of the offer could determine the euro price to be paid in certain cases (see paragraph 10.2). In the case of offers submitted by post, the relevant date is the date of receipt of the offer form. Where offers are submitted by fax, the date of receipt of the offer will be the date of receipt of the fax. Offers submitted by e-mail will be regarded as received at the time they reach the RPA's service provider. Offerers are responsible for ensuring that we receive offers. We will not accept responsibility for offers delayed or lost in transit.
- 12.3 If the information on the offer form or fax is amended the offerer (signatory) must initial the amendment(s).

- 12.4 We will acknowledge all offers and also issue claim forms. We will reject offers that are not acceptable (due to incorrect form completion or failure to meet the offer conditions) and notify the offerer of the reason for rejection within five working days of the receipt of the offer form.
- 12.5 An offer will not be acceptable until we have checked through the application and all necessary inspections or tests have been carried out and satisfactory results obtained. We will issue delivery instructions as soon as possible, but no later than 10 working days from the date on which the offer is deemed acceptable, specifying the period within which the offerer shall deliver the grain. Offers must be delivered to store within this delivery period unless prior agreement is given to an extension (see paragraph 17) and in any event must be delivered no later than the end of the fourth month following the month of receipt of the offer. **Deliveries after 31 July are not permitted.**
- 12.6 An offer becomes binding on the date we post delivery instructions to the offerer.
- 12.7 Once we issue delivery instructions, offerers should take up any queries regarding the progress of the contract with the RPA Regional Inspector responsible for the area in which the consignment is lying at the time of offer (see Annex 1).
- 12.8 Offerers must enclose the appropriate test fee (see Annex 9) with all offers of wheat. We will delay forwarding delivery instructions for wheat offers pending formal notification of the test results by the Cereals Intervention Section to the offerer.
- 12.9 Arrangements for making an in-situ offer are set out in Annex 11.

13. INSPECTION OF OFFERS PRIOR TO DELIVERY

- 13.1 An RPA Inspector or their representative may inspect at the offer location at any time prior to or during delivery to an intervention store. If the cereals are found not to be available for immediate delivery, or to be clearly infested, or otherwise clearly not of marketable quality, we will reject the offer. If appropriate, we will charge breach of contract charges to the offerer.
- 13.2 Such inspections do not replace the tests undertaken when the cereals are delivered to store.

14. WITHDRAWING AN OFFER

- 14.1 The offerer may withdraw an offer, in whole or in part, at any time after it has been submitted. If an offer is withdrawn in part, the remaining quantity must still meet the minimum offer quantity requirement (see paragraph 7.1). Offerers may telephone to give notice of withdrawal but must confirm this by fax on the same day to the Cereals Intervention Section (address at Annex 1).
- 14.2 Withdrawal of an offer will normally attract the charges set out in paragraph 27.1.
- 14.3 The circumstances in which an offer may be withdrawn without incurring charges are:
- when notice of withdrawal is received by the Cereals Intervention Section prior to us posting delivery instructions; or
 - when we fail to post delivery instructions within 10 working days of receipt of an acceptable offer (or, in the case of wheat, within 10 working days of receipt by the Cereals Intervention Section of the test results or appeal test results) and the Cereals Intervention Section receives notice of withdrawal within the next 5 working days thereafter; or
 - when the delivery instructions specify a date for commencement of delivery into store which is more than one calendar month after the delivery instructions are posted and the Cereals Intervention Section receives notice of withdrawal within 5 working days of the date of posting of the delivery orders; or
 - when the delivery instructions specify a store which is more than 100 miles from the offer location. ***You must notify us within three days of receipt of the delivery instructions if you wish to withdraw under this provision.***
- 14.4 Arrangements for withdrawing an in-situ offer are set out in Annex 11.

15. SAMPLING AND TESTING OF WHEAT

- 15.1 Following receipt of the appropriate fee (see Annex 9), an RPA Inspector or their representative will sample consignments of wheat prior to delivery. The offerer must grant full access to allow sampling to take place.

- 15.2 Sampling procedures are explained in leaflet IM(C)18. Samples will only be drawn from specific and identifiable consignments (i.e. the whole of the single heap must be offered in its entirety).
- 15.3 The sample of wheat will be forwarded to our contracted laboratory for testing in accordance with the procedure in leaflet IM(C)19. The RPA Inspector or their representative will give the offerer or offerers representative a part of the sample; a reference sample will be retained by the RPAI in case of dispute. We will inform the offerer whether the offer passes or fails the tests. For wheat samples, where the initial zeleny test shows a zeleny index between 22 and 29, offerers have the option to choose to withdraw their offer or proceed to the dough machinability test. We will notify you of the zeleny test result to allow you to choose.
- 15.4 If the sample fails and the offerer wishes to appeal the results, they have two days from receipt of the result in which to do so. The appeal should be in writing to the Cereals Intervention Section. A further fee must be paid at the time of lodging the appeal which will be refunded if the appeal is successful. The Cereals Intervention Section will advise you of the appeal fee required. The Cereals Intervention Section will then arrange for the reference sample to be tested.
- 15.5 If for any reason the offerer needs to move more offered wheat before delivery, they must get prior permission from the Cereals Intervention Section so that its identity and quality can be preserved.
- 15.6 Further tests may be made on loads entering intervention to check for substitution. When this occurs, the offerer will be notified by the RPAI. The offerer or their representative may attend the sampling when they will be given a part of the sample.
- 15.7 Where the sample fails and we are satisfied that the wheat delivered is not to intervention standards we will:
- require the offerer to remove a quantity, equal to the quantity delivered, from the intervention store and meet all costs involved;
 - charge the offerer an amount to reflect the reduction in value and quality of the heap to which the substituted product was added, that sum to be calculated solely by us; and
 - hold the offerer liable for any financial penalty incurred by us as a result of infringement of EC regulations.

16. SAMPLING AND TESTING FOR MYCOTOXINS IN WHEAT

687/2008
Art 4

Maximum levels of fusarium mycotoxins are set out in Commission Regulation No 466/2001 and apply to wheat offered into intervention from 1 November 2006. Maximum levels for barley are yet to be set. Regulation 687/2008 states that 'Member States shall check levels of contaminants, including radioactivity, on the basis of a risk analysis taking into account in particular of the information supplied by the applicant.'

The following procedure will now take place on receipt of all offers received by the Cereals Intervention Section:

- 16.1 Offers should be submitted and read in conjunction with 'Mycotoxin Risk Assessment Model' – see Annex 12.
- 16.2 Offers identified as high risk following assessment will be subject to additional sampling and testing. The Cereals Intervention Section will advise you if this applies.
- 16.3 RPA reserve the right to select an offer to be sampled for Mycotoxin analysis on a random basis.
- 16.4 Article 6 of Commission Regulation states that offerers shall bear the costs relating to analyses of contaminants. Following receipt of the appropriate fee (see Annex 9), an RPA Inspector or their representative will sample consignments of wheat prior to delivery. The offerer must grant full access to allow sampling to take place.
- 16.5 The sample of wheat will be forwarded to our contracted laboratory for testing. The RPA Inspector or their representative will give the offerer or the offerers representative a part of the sample; a reference sample will be retained by the RPAI in case of dispute. We will inform the offerer whether the offer passes or fails the tests.
- 16.6 If the sample fails and the offerer wishes to appeal the results, they have two days from receipt of the result in which to do so. The appeal should be in writing to the Cereals Intervention Section. A further fee must be paid at the time of lodging the appeal which will be refunded if the appeal is successful. The Cereals Intervention Section will advise you of the appeal fee required. The Cereals Intervention Section will then arrange for the reference sample to be tested.

SECTION IV - DELIVERY OF CEREALS TO INTERVENTION STORE

17. ARRANGEMENTS FOR DELIVERY TO STORE

17.1 We will send delivery instructions for each load intended for delivery into store, to the offerer which will detail:

- the contract number;
- the delivery period; and
- the location and communication details for the store to which delivery will be made.

N.B. We reserve the right to amend the delivery details.

17.2 Offerers who object to the details in the delivery instructions, and wish to appeal, must do so in writing (by letter, fax or email) within 4 working days of the date of posting. The right to appeal does not, however, guarantee entitlement to withdraw the offer without charge (see paragraph 14.3).

17.3 The storekeeper will contact the offerer to make delivery arrangements within the period scheduled for delivery. The type of transport to be used should be cleared with the storekeeper as some stores have limited access. If the offerer wishes to dispute the delivery timetable proposed by the storekeeper he may refer the matter to the Cereals Intervention Section whose ruling will be final. Although every effort will be made to minimise lorry waiting time at intervention stores, we will not accept responsibility or charges for delays.

17.4 Intake can only take place at times when the store is open and an independent inspector is present. This will be on dates agreed between the storekeeper and the offerer. If lorries arrive outside the agreed dates or times and the inspector is absent, loads will be turned away and offerers held responsible for all resulting costs. In addition, where offerers fail to keep delivery appointments, we will charge the offerer the costs of providing the independent inspector and any other extra costs.

17.5 On appointed dates of delivery, stores are usually open from 0800 to 1600 hours. Final loading into store may be dependent on the outcome of an oven moisture test which could take a further two hours or more.

- 17.6 A completed delivery instruction letter must be presented to the storekeeper on delivery otherwise the storekeeper will not accept the load. Offerers should also present the relevant grain passport. The delivery driver will be given a copy of the delivery order, completed by the storekeeper, plus copy weighbridge ticket as the offerers receipt for each load taken into store.
- 17.7 We would remind offerers that it is a criminal offence to drive an overloaded goods vehicle on a road or to cause or permit an overloaded goods vehicle to be driven.

18. EXTENSION TO DELIVERY PERIOD

- 18.1 Offerers are contracted to deliver cereals to store within the delivery period we give. Offerers who cannot complete delivery of the consignment within the specified dates for whatever reason must contact the Cereals Intervention Section who may consider granting an extension of delivery period. Only one extension will be allowed. Requests for extension may be made to the Cereals Intervention Section by telephone but must be confirmed by fax or email on the same day and must be made prior to the expiry of the scheduled delivery period as there may otherwise be a breach of contract (see paragraph 27). **The reason for the request must be clearly stated.** The Cereals Intervention Section may refuse to grant a request for an extension. Any costs arising from the granting of an extension may be charged to the offerer.
- 18.2 In no circumstances will extensions be granted which would involve delivery after the end of the fourth month following the month of receipt of the offer, or after 31 July, whichever is the earlier.**

19. CHANGE OF OFFER LOCATION

- 19.1 Offerers who wish to deliver into intervention from a location other than that specified in the offer form may apply to the Cereals Intervention Section by telephone giving full details, but must confirm this in writing to, and obtain written approval from, the Cereals Intervention Section before delivery. **The reason for the request must be clearly stated.**
- 19.2 The following conditions apply:
- only one request for change of location will be considered in respect of any offer;
 - the maximum four locations cannot be exceeded;
 - the transport adjustment (see paragraph 21.2) applied will be that related to the approved offer location(s) from which the cereals were actually transported;

- in normal circumstances we will not allow any change in intervention centre. Exceptionally, we will allow a change of centre if the whole of the original tonnage is delivered from another source, and retaining the original centre would result in us having to pay a greater transport adjustment.
- failure to obtain prior authorisation for a change of location is a breach of contract and may result in a penalty being applied (see paragraph 27);
- **change of location cannot be requested for wheat unless the wheat at the new location is already known to have passed the appropriate tests.**

20. SAMPLING AND TESTING OF CEREALS ON INTAKE TO STORE

- 20.1 Sampling will be carried out in accordance with leaflet IM(C)18.
- 20.2 On intake, the storekeeper will weigh the load and draw a representative sample which will be divided into three sub-samples. One will be tested by the storekeeper, one will be handed to the offerer or his representative, and one will be retained at the store as a reference sample.
- 20.3 The offerer or his representative has the right to witness and check the sampling methods. The offerer may dispute sampling methods, but only if the sampling was witnessed by him. Disputes with the storekeeper which cannot be resolved will be subject to the arbitration of the RPAI who may arrange for further samples to be drawn.
- 20.4 Definitive tests will be carried out in accordance with the procedures set out in leaflet IM(C)17 to confirm that the cereals meet minimum EC standards (Annex 4 and paragraphs 8.1 and 8.2). These results will provide the basis for calculating price adjustments (see Annex 5).
- 20.5 Storekeepers will reject any load failing to meet minimum quality standards and we will charge the offerer a rejection fee. Normally between £12 and £20 per load depending on the store contract.

- 20.6 The storekeepers findings in respect of infestation, abnormal smell, and temperature will be final. Cereals may also be rejected if, in the storekeepers opinion (which is final), the cereals are likely to prejudice the safekeeping or marketability of the stored cereals with which they are mixed. Appeals against rejection for other reasons should be made to the Cereals Intervention Section who will arrange for the reference sample to be sent for independent analysis. An appeal fee per sample will be required at the time the appeal is lodged. Appeals will only be considered if the load can be kept separate and under the storekeepers control pending the results of the appeal. If suitable arrangements for separate storage cannot be made, the appeal will not be considered. Reference samples for rejected loads are not retained unless an immediate appeal is lodged. All costs of transport, handling, storage, analysis and postage will be borne by the offerer in the event that the appeal is not upheld.
- 20.7 The cereals in each load become the responsibility of the Agency when the definitive tests have established that they meet the minimum EC standards (see paragraph 20.4) and the cereals have been admitted to an intervention store. Ownership of the cereals does not change until the issue of the takeover certificate (see paragraph 23).

21. DELIVERY COSTS AND ROAD TRANSPORT ALLOWANCE

- 21.1 The offerer must arrange and pay for delivery to the store in accordance with the Agencys delivery instructions and the timetable agreed with the storekeeper. The Agency will pay intake costs provided the cereals are eventually purchased.
- 21.2 The offerer is responsible for transport costs from the point of offer to the nominated intervention centre. However when cereals are taken over other than at the nominated intervention centre, we will apply a transport cost adjustment. The transport cost adjustment will apply only to the journey to the intervention store and not the return journey. To calculate the transport cost adjustment, the distance in miles from the location of the offered grain to the nearest intervention centre will be multiplied by 5.1 pence per tonne per mile (but see paragraph 21.3). Mileage calculations must be based on the shortest practicable route and published atlas distances. The transport cost adjustment will be applied as a supplement or discount as appropriate. The rate of 5.1 pence per mile is subject to change. It is advisable to check with the cereals intervention section for the current rate.

- 21.3 The actual cost of toll or ferry charges (both exclusive of VAT) will be reimbursed only where the offerer can prove that the shortest alternative route, avoiding the charge, would have led to a higher transport claim. Charges will apply only to journeys to the intervention store and not to the return journey.
- 21.4 We will determine transport adjustments for journeys by rail and/or sea in the light of the circumstances prevailing at the time.
- 21.5 The rate of transport adjustment is reviewed periodically.
- 21.6 Intake and transport costs arrangements for in-situ contracts are set out in Annex 11.

22. CLAIMS FOR PAYMENT

- 22.1 When the final delivery has been made and the offerer has ascertained the delivered tonnage from the weighbridge tickets returned from the store, they must complete the claim form, CEPU11 and post it to the Cereals Intervention Section at the Agency. Claims should be sent immediately following receipt of the final weighbridge ticket, so that the takeover certificate may be issued and the total value of the contract calculated. Faxed submissions will not be processed until the hard copy is received. The payment process cannot be started until a claim has been received by the Agency. Offerers must provide receipts for any toll or ferry charges with the claim form.
- 22.2 We will send an acknowledgement card to confirm that we have received the CEPU11.

23. ISSUE OF THE TAKEOVER CERTIFICATE

- 23.1 When we are satisfied that the contracted tonnage of cereals has been delivered and a claim has been received, a takeover certificate and a pricing document will be sent to the offerer. The date of issue of the takeover certificate is the date upon which the quantity and the minimum required standards will be regarded as having been established for the entire consignment of cereals delivered to the intervention store. If the offerer has not received a takeover certificate and pricing document within 10 working days of our receipt of his claim form he should contact the Cereals Intervention Section.

23.2 The takeover certificate will detail, for each load, the storekeepers analysis of physical characteristics. If the offerer wishes to challenge any of the findings, he should do so by writing to the Cereals Intervention Section within 7 days of receipt of the takeover certificate, specifying the particular loads and findings he wishes to challenge, and attaching an appeal fee in respect of each load. The Cereals Intervention Section will advise the fee payable. On receipt of the letter and fee they will arrange an independent analysis of the reference sample(s), the results of which will be final. If the appeal is upheld the appeal fee will be refunded in full. If the storekeepers analysis is confirmed, the appeal fee will be retained.

SECTION V - PAYMENTS

24. PAYMENT PERIOD

687/2008
Art 9.3

- 24.1 We will make arrangements for payment to be made between the 30th and 35th day following the date of issue of the takeover certificate as defined at paragraph 23.1.
- 24.2 As payment is made on the basis of the amount shown in the pricing document, CEPU14, offerers invoices are not required.

25. ASSIGNED PAYMENTS

- 25.1 The offerer can assign payments in respect of an individual contract to a third party. Offerers should request us to assign the payment as soon as possible. We will send instructions for assignment of payment. Payment will then be made to the assignee under normal payment procedure. We will not consider requests for assignment after the takeover certificate has been issued.

26. ERRORS IN PAYMENT

- 26.1 We will make every effort to ensure that payment of claims is made in full but errors can occasionally occur. Because of the administrative cost involved, underpayments of less than £10 are not normally corrected. However claimants may request correction of underpayments, including those under £10, where they are brought to our attention within 6 years from the date of the original payment.

SECTION VI - MISCELLANEOUS CONDITIONS

27. BREACH OF CONTRACT

27.1 Offerers who fail to meet contract conditions may, except as specified below, be charged standard costs of £5/tonne as follows:

- for each tonne under/over the 13 tonne tolerance (see paragraph 7.2). In the case of wheat, deliveries in excess of the +13 tonne tolerance may be re-tested for technical qualities. Offerers whose grain fails the test will be required to remove the excess grain, bearing the costs of transport, intake, supervision, storage discharge and postage. They will also be charged for the cost of the re-test. They may be charged for any difference between the quality of the grain they delivered and the grain they remove (see 27.1 6th indent);
- for each tonne delivered outside the scheduled delivery period (including any authorised extension – see paragraph 17.1);
- for each tonne delivered from an unauthorised location (barley only);

Note: Offerers may not deliver wheat from another location unless that cereal has been tested for compliance with intervention standards and we have authorised the change of location (see (paragraphs 19.2 6th indent and 15.6);

- the minimum quantity which may be offered is 100 tonnes. For a quantity lower than 100 tonnes delivered to store costs will apply to each tonne shortfall between the EC minimum (80 tonnes) and 95 tonnes. No charge will apply to deliveries between 95 and 100 tonnes provided we are satisfied that the offerer has made every effort to reach the minimum tonnage with 4 loads. Where the delivery is less than 80 tonnes, we will require offerers to remove all of the cereals delivered at their own expense (see also 27.1 6th indent below re differences in quality);
- for failure to deliver on the day agreed with the storekeeper and recorded in the delivery schedule, offerers will be charged for costs we incur in providing supervision;

- if, for any reason, we require the offerer to remove grain from store, and the quality of the cereals they collect is better than the quality they delivered, we will make a charge to reflect that difference and any difference in the quality of the grain remaining in store. Analysis costs will also be charged.

28. RECORDS TO BE KEPT BY THE OFFERER

28.1 Periodically an authorised officer of the Agency will visit the offerer to examine documentation relating to cereals sold into intervention. It is essential that adequate records are maintained to substantiate all claims.

Offerers must retain these records for a period of not less than 3 years from the end of the calendar year in which they were drawn up.

28.2 The offerer may adopt a paperless system or one involving the early destruction of original documents, provided that it:

- records all data necessary to support claims for payment;
- allows easy access to the data for authorised officials;
- provides as much information in as easily accessible a form as the paper-based arrangement it replaces.

ADDRESSES**1. Address of the Agency's Cereals Intervention Section**

Rural Payments Agency
 Lancaster House
 Hampshire Court
 NEWCASTLE UPON TYNE
 NE4 7YH

Telephone: 0191 273 9696 (Ext 55882/55161)
 Direct Line: 0191 226 5882/5161
 Fax: 0191 226 5828/5040
 e-mail: cerealsintervention@rpa.gsi.gov.uk

2. Addresses of RPA Inspectors**Address****Areas Covered****Rose Mary Harley**

RPA Inspectorate
 Cadzow Court
 3 Wellhall Road
 Hamilton
 ML3 9BG

Scotland and Northern Ireland.

Mobile: 07971 473 176
 Fax: 01698 421 267

Stephen Lockwood

RPA Inspectorate
 C/O Rural Payments Agency
 Cereals Intervention Section
 Lancaster House, Hampshire Court
 Newcastle Upon Tyne NE4 7YH

Cumbria, Durham, E Yorks, W Yorks,
 N Yorks, Gtr Manchester, Lancs,
 Northumberland, Tyne and Wear.

Mobile: 07971 473 172
 Fax: 0191 226 5828

Peter Cooper

RPA Inspectorate
 Block 7, Government Buildings
 Chalfont Drive
 Nottingham
 NG8 3SN

Avon, Beds, Cambs, Cheshire, Derbyshire,
 Essex, Gloucs, Heref & Worcs, Leics,
 Lincs, Merseyside, Norfolk, Northants
 Notts, Shrops, S Yorks, Staffs, Suffolk.
 Warks, W Mids, Wales.

Mobile: 07748 112 176
 Fax: 01652 658 511

Address

Dave Hydon
RPA Inspectorate
G00 North Gate House
P O Box 69
Reading
RG1 3YD

Mobile: 07810 181 766
Fax: 0118 968 7965

Areas Covered

Berks, Bucks, Cornwall, Devon, Dorset, Gtr
London, Hants, Herts, IOW, Kent,
Oxon, Somerset, Surrey, Sussex and
Wilts.

INTERVENTION PRICES FOR WHEAT AND BARLEY

| MONTH OF ALLOCATION | EURO/TONNE |
|---------------------|-----------------------|
| July 2008 | (101.31) |
| August | (101.31) |
| September | (101.31) |
| October | (101.31) |
| November | 101.77 ³ |
| December | 102.23 ³ |
| January 2009 | 102.69 ³ |
| February | 103.15 ³ |
| March | 103.61 ³ |
| April | 104.07 ³ |
| May | 104.53 ³ |
| June 2009 | (104.53) ³ |
| See Note 4. | |

NOTES:

- Information on the conversion rate to be used for converting euros into sterling can be obtained from our Rates Information Section extensions 55045, or direct dialling 0191 226 5045. Alternatively, you can access this information on our web site under RPA Schemes>Export Refund Rates.
- The intervention price will be adjusted according to the quality of cereals delivered (see Annex 5).
- The intervention price is increased by the following euro per tonne in each month from November to May inclusive.

| | |
|---------------|------|
| November 2008 | 0.46 |
| December 2008 | 0.92 |
| January 2009 | 1.38 |
| February 2009 | 1.84 |

| | |
|-------------|--------|
| March 2009 | 2·30 |
| ----- | |
| April 2009 | 2·76 |
| ----- | |
| May 2009 | 3·22 |
| ----- | |
| June 2009 | (3·22) |
| ----- | |
| See Note 4. | |
| ----- | |

4. Offers of cereals scheduled for delivery in June and/or July when the intervention price reverts to the lower July euro price, will receive the price applicable to the date of receipt of offer.
5. Intervention prices in brackets are nominal, since intervention offers cannot be made in these months.

Note: Monthly Increments will cease from the 2010/2011 marketing year (1 July 2010) – See Council Regulation 1234/2007 Art. 8.1(a) as amended by Council Regulation 72/2009.

EXAMPLES OF PRICING OF INTERVENTION OFFERS

| EXAMPLE | MONTH OF OFFER | DELIVERY SCHEDULE | ACTUAL DELIVERY | MONTH APPLICABLE FOR INTERVENTION PRICE |
|---------|----------------|--------------------------------------|--------------------|---|
| A | February | 1-15 March | 1-15 March | March |
| B | February | 1-15 March revised to 24-28 February | 24-28 February | February |
| C | February | 16-30 March no revision authorised | 1-5 April | March |
| D | February | 16-30 March revised to 1-5 April | 1-5 April | April |
| E | February | 25 March - 5 April | 25 March - 5 April | March |
| F | April | 1-15 June | 1-15 June | April |
| G | April | 16-30 May revised to 1-15 June | 1-15 June | April |
| H | April | 6-19 May no revision authorised | 1-15 June | April |
| I | May | 1-15 June | 1-15 June | May |
| J | May | 16-30 June revised to 1-15 July | 1-15 July | May |
| K | May | 16-30 June no revision authorised | 1-15 July | May |

NOTE:

1. Any revision to the delivery schedule (examples B, D, G and J) must be authorised by the Cereals Intervention Section.

ANNEX 4

MINIMUM CRITERIA FOR ACCEPTANCE OF CEREALS INTO INTERVENTION

The cereals at the time of offer must be of sound, fair and marketable quality, and in addition must be of the following quality¹:

| | WHEAT | BARLEY |
|--|-------|--------|
| a. MAXIMUM MOISTURE CONTENT % | 14.5 | 14.5 |
| b. MINIMUM SPECIFIC WEIGHT kg/hl | 73 | 62 |
| c. MINIMUM PROTEIN CONTENT % | 10.5 | - |
| d. MAXIMUM TOTAL IMPURITIES % | 12 | 12 |
| of which: | | |
| 1: BROKEN GRAINS | 5 | 5 |
| 2: GRAIN IMPURITIES | 7 | 12 |
| of which: | | |
| - Shrivelled Grains | - | - |
| - Other cereals, and grain damaged by pests. | - | 5 |
| - grain with discoloured germs | - | - |
| - grain overheated during drying | 0.5 | 3 |
| 3: SPROUTED GRAINS | 4 | 6 |
| 4: MISCELLANEOUS IMPURITIES | 3 | 3 |
| of which: | | |
| - noxious seeds | 0.10 | 0.10 |
| - ergot | 0.05 | 0.05 |
| - grains damaged by spontaneous heating or too extreme heating during drying | 0.05 | - |
| e. MINIMUM HAGBERG FALLING NUMBER | 220 | - |
| f. MINIMUM ZELENY INDEX | 22 | - |
| g. DOUGH MACHINABILITY ² | Pass | - |

NOTE:

1. Maximum levels of fusarium mycotoxins are set out in Commission Regulation No 466/2001 and apply to wheat offered into intervention from 1 November 2006

2. Not applicable if the zeleny index is greater than 30.

ADJUSTMENTS TO INTERVENTION PRICES FOR VARIATIONS IN QUALITY

The following adjustments will be calculated against the appropriate July intervention price:

| | | |
|----|--|------------------------|
| 1. | MOISTURE CONTENT | |
| | | Reduction (euro/tonne) |
| | 14.5% | 1.0 |
| | 14.4% | 0.8 |
| | 14.3% | 0.6 |
| | 14.2% | 0.4 |
| | 14.1% | 0.2 |
| | | Bonus (Euro/tonne) |
| | 13.4% | 0.1 |
| | For each additional 0.1% drop an additional Up to at 10.0% a maximum of | 0.1 3.5 |
| 2. | SPECIFIC WEIGHT (kilograms per hectolitre) | |
| | WHEAT | Reduction (Euro/tonne) |
| | Less than 76 to 75 | 0.5 |
| | Less than 75 to 74 | 1.0 |
| | Less than 74 to 73 | 1.5 |
| | BARLEY | |
| | Less than 64 to 62 | 1.0 |
| 3. | MISCELLANEOUS DEDUCTIONS | |
| | a. Broken Grains, for each 0.1% above 3.0% | 0.05 |
| | b. Grain Impurities (including shrivelled grains) Wheat and Barley, for each 0.1% above 5% | 0.05 |
| | c. Sprouted Grains, for each 0.1% above 2.5% | 0.05 |
| | d. Miscellaneous Impurities, for each 0.1% above 1.0% | 0.1 |
| 4. | PROTEIN CONTENT - WHEAT ONLY | |
| | Wheat with a protein content on a dry matter basis of less than 11.5% will be subject to the following discounts; | |
| | | Discount (euro/tonne) |
| | less than 11.5 - 11.0 | 2.5 |
| | less than 11.0 - 10.5 | 5.0 |

UK INTERVENTION CENTRES

Aberdeen
Ashford (Kent)
Avonmouth
Bangor (Gwynedd)
Belfast
Berwick-upon-Tweed
Brighton
Cambridge
Carmarthen
Cowes
Darlington
Doncaster
Driffield
Elgin
Exeter
Glasgow
Hartlebury
Henstridge
Invergordon
Inverness
Ipswich
Kings Lynn
Leith
Liverpool
Londonderry
Manby
Montrose
Newcastle-upon-Tyne
Northampton
Norwich
Old Dalby
Oxford
Perth
Plymouth
Prees Heath
Ripon
Southampton
Tilbury
Turriff

PESTS IN GRAIN

Regulation No EC 687/2008 states amongst other things in Article 4 that "cereals must be ... free from ... live pests (including mites) at every stage of their development".

The insects listed below represent the major injurious and hygiene pests of stored grain. There are other harmful insect species but they are rarely encountered.

INJURIOUS

| | |
|--|---|
| Saw-toothed grain beetle | (<i>Oryzaephilus surinamensis</i>) |
| Grain weevil | (<i>Sitophilus granarius</i>) |
| Maize weevil | (<i>Sitophilus zeamais</i>) |
| Rice weevil | (<i>Sitophilus oryzae</i>) |
| Rust-red grain beetle (flat grain beetle) | (<i>Cryptolestes ferrugineus</i>) |
| Foreign grain beetle | (<i>Ahasverus advena</i>) |
| Rust-red flour beetle | (<i>Tribolium castaneum</i>) |
| Lesser grain borer | (<i>Rhizopertha dominica</i>) |
| Grain mites | (<i>Acarus</i> , <i>Tyrophagus</i> and <i>Lepidoglyphus</i> species) |

HYGIENE

| | |
|-----------------------------|--|
| Brown house moth | (<i>Hofmannophila pseudospretella</i>) |
| White-shouldered house moth | (<i>Endrosis sarcitrella</i>) |
| White-marked spider beetle | (<i>Ptinus Fur</i>) |
| Australian spider beetle | (<i>Ptinus Tectus</i>) |
| Hairy fungus beetle | (<i>Typhaea Stercorea</i>) |

PESTICIDE RESIDUE LIMITS

There is both Community and National legislation which sets out the maximum residue levels for pesticides in crops, food and feedingstuffs. This legislation makes it **an offence to put into circulation any product with a pesticide residue higher than that permitted under legislation.**

Currently, the following legislation contains details of the pesticides permitted for use on crops, food and feedingstuffs together with their maximum residue levels:

Community:

Commission Directive 2005/369/EC on maximum residue levels of pesticides in or on food and feed of plant and animal origins

National:

England and Wales

The Pesticides (Maximum Levels in Crops, Food and Feedingstuffs) (England and Wales) Regulations 2005 (Statutory Instrument 2005 N° 3286 – as amended).

Scotland

The Pesticides (Maximum Levels in Crops, Food and Feedingstuffs) (Scotland) Regulation 2005 (Scottish Statutory Instrument 2005 N° 599).

Northern Ireland

The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (EEC Limits) Regulations (Northern Ireland) 2006 N° 220.

Further information on the use and maximum residues for pesticides can be obtained from:

Pesticides Safety Directorate
Mallard House
Kings Pool
3 Peaseholme Green
YORK
YO1 7PX

Tel: 01904 455 775

Fax: 01904 455 733

Web site: www.pesticides.gov.uk

1. TEST FEES TO ACCOMPANY OFFERS OF WHEAT

- 1.1 The test fees applicable to offers into intervention of wheat are set out below but are subject to review. It is advisable to check with the cereals intervention section before submission of the fee.
- 1.2 The basic test fee is £392.00 + VAT for each offer.
- 1.3 For additional locations, the following charges are added:

Offer at 2 locations - add £37 + VAT;
Offer at 3 locations - add £74 + VAT;
Offer at 4 locations - add £111 + VAT.
- 1.4 A refund of £200.00 + VAT will be made for each dough machinability test not required because the zeleny index is 30 or more. Where initial testing yields a zeleny index of 22 to 29, the Cereals Intervention Section will contact the offerer to ascertain whether they wish to proceed to dough machinability or withdraw their offer. The offerer must respond promptly, confirming their decision by fax.
- 1.5 Cheques should be made payable to the Rural Payments Agency, and sent together with the offer form to the Cereals Intervention Section.

2. ADDITIONAL FEES FOR MYCOTOXIN SAMPLING OF WHEAT

- 2.1 The test fee applicable to offers selected for sampling wheat for mycotoxins is set out below but is subject to review.
- 2.2 The basic test fee is £270.00 + VAT for each offer. (For cereals offered from areas of known contamination a further fee of £175.00 + VAT will be required for undertaking additional sampling for Trichothecenes).
- 2.3 Payment will be requested by Cereals Intervention Section should your offer be selected for additional sampling following the risk analysis.
- 2.4 Cheques should be made payable to the Rural Payments Agency, and sent together with the offer form to the Cereals Intervention Section.

EXAMPLE OF OFFER FORM



| | | | |
|-------------------|---------|---------------------------------|--|
| Copy distribution | | For official use only | |
| White copy | RPA | Contract no. | |
| Pink copy | Officer | Date of receipt of offer at RPA | |

Cereals Intervention Purchases

CEPU1

Offer to sell cereals into intervention

EC regulation no. 824/00 as amended.

Notes about this form

- A** Please use BLOCK CAPITALS.
- B** You must make sure that the cereal offered meets the minimum quality requirements of the scheme. If a load is below the minimum requirements then you may be charged for handling, transport and storage. A charge will be made for each load rejected from store.
- C** You must offer a minimum of 100 tonnes for Common Wheat or 100 tonnes for Barley.

- D** You must use a separate form for each consignment.
- E** If you need help to fill in this form, please contact the Cereals Intervention Section on 0191 226 5832/5080.
- F** When you have filled in this form you must:
- keep the pink copy;
 - send the white copy to the Cereals Intervention Section at the address below.

Data Protection: We will protect any personal data we receive in line with the Data Protection Act 1998. Please see overleaf for full details of our policy.

Part A – General details

Is this confirmation of a fax offer Yes No

Name and address of offerer

Post code

Status: sole proprietor partnership

Contact name

Customer Registration no.

Tel no. incl area code

Fax no. incl area code

Part B – Details of cereal offered

Cereal offered - Common Wheat, Barley

Total tonnage offered

Year of harvest

Name of the intervention centre closest to the location of the largest quantity of cereal that you are offering

Capacity of the vehicle likely to make deliveries (tonnes)

Amount of fee enclosed for sampling and testing

Common Wheat only if applicable

For Common Wheat offers: please note that for the purpose of Mycotoxin risk assessment any unknown or missing information will attract the highest risk score. (Please refer to annex 12 of Scheme Guide IM(C) 15 for details). The RPA reserve the right to select an offer to be sampled for mycotoxin analysis on a random basis.

Place of storage at time of offer. If the offer is coming from more than one location then give details of all stores involved.

You may not use more than four locations for an offer.

Previous crop rotation - Maize, Wheat, etc
Cultivations - Plough or non plough

Please enter per location:

| Name and address of store or farm including post code | | Tonnage offered Harvested > 25 miles | |
|---|--------------|--------------------------------------|-------|
| County | Post code | * | Miles |
| Prev crop: | Cultivation: | | |
| County | Post code | * | Miles |
| Prev crop: | Cultivation: | | |
| County | Post code | * | Miles |
| Prev crop: | Cultivation: | | |
| County | Post code | * | Miles |
| Prev crop: | Cultivation: | | |

* Note: if harvested more than 25 miles from location please indicate above.

Declaration

- I agree to comply with the relevant requirements of Commission Regulation (EC) 824/00 (as amended);
- I have read and understood the Scheme Guide IM(C) 15 and agree to abide by its terms and conditions;
- the cereals on offer meet the minimum quality required and are of Community origin;
- the maximum pesticide residue limits have not been exceeded;
- there has been no salmonella species detected;
- I have given details that are true and complete to the best of my knowledge and belief;
- the grain has not been exposed to excess moisture following harvest or during storage.

WARNING: any person who makes a false declaration may be prosecuted. A false or inaccurate statement can lead to loss of entitlement and recovery of any payments made.

Signature

Name (BLOCK CAPITALS)

Date

Capacity of person signing – please specify (for example: sole proprietor, PLC, Ltd Company, partner, director)

Rural Payments Agency Lancaster House Hampshire Court Newcastle Upon Tyne NE4 7YH.
Tel 0191 226 5832/5060. Fax 0191 226 5828.

The Rural Payments Agency is an Executive Agency of the Department for Environment, Food and Rural Affairs

cepu1 ver 9.0 Apr 2006

PROCEDURES FOR IN-SITU TAKEOVER

1. INTRODUCTION

- 1.1 This annex describes general arrangements for the in-situ takeover of cereals in the United Kingdom. It should be read in conjunction with the relevant EC Regulations, the remainder of this leaflet, and leaflets IM(C)17, IM(C)18 and IM(C)19.
- 1.2 The normal arrangements for the purchase of cereals into intervention in the UK provide for the delivery of cereals from the location at the time of offer to a specified intervention store. However, as an exception to these arrangements we may decide, with the agreement of the offerer and storekeeper, to take over cereals where they are lying.

2. DEFINITION

- 2.1 Under in-situ arrangements, cereals offered into intervention are accepted as intervention stocks in the shed/silo where they are located at the time of offer. The cereals must **not** be moved between the date of offer and the date of takeover as the shed/silo in which they are stored becomes a designated intervention store on the takeover date. Offered grain must be stored separately from any other grain to our satisfaction.

3. CONDITIONS FOR IN-SITU STORAGE

- 3.1 We will decide on the acceptability of specific in-situ arrangements taking into account the geographical location of the cereals offered.
- 3.2 In-situ stores have to meet the usual standards and conditions applied by us in contracting with commercial stores. Decisions on acceptability is entirely our responsibility.
- 3.3 The capacity of the in-situ stores must not be less than 5,000 tonnes.
- 3.4 A contract will be for the duration of the period until the grain is sold or otherwise disposed of, save that we have the option, exercisable at 12 monthly intervals throughout the period of storage, to terminate the contract and transfer the grain to another store, this option to be exercised by giving not less than 3 months notice.
- 3.5 Exceptionally, if we are able to agree with a request from an offerer for the removal of the grain at an earlier date, the offerer will be fully responsible for:
- providing alternative storage which is acceptable to us and/or pay for any additional storage costs incurred in consequences of the transfer;

- discharge costs;
- transport costs;
- sampling and intake costs.

4. **ACTION IN ADVANCE OF MAKING AN OFFER .**

4.1 Prospective in-situ offerers should contact the Cereals Intervention Section to register their interest **before 30 August** of each year. We will issue a form P8 to the prospective offerer which they have to complete and return.

4.2 Form P8 provides details of the storage facilities available including:

- the capacity of the shed/silos concerned (which must be not less than 5,000 tonnes);
- reference to the type of construction of shed/silo including retaining walls and floors, gutters and rainwater pipes and their location;
- the provision on site of weighbridge facilities;
- the details and capacity of aeration equipment;
- the availability and type of temperature monitoring equipment;
- the availability of laboratory facilities and equipment; and
- the area of hardstanding for trucks.

4.3 The prospective storer must also confirm in the case of on floor storage the type of equipment to be used to intake and discharge the cereals e.g. elevator, thrower, power shovel. Pusher-filled stores are not acceptable.

4.4 Following receipt of the completed P8 we will arrange to have the store inspected by the RPAI. We will also carry out financial checks on prospective storers of in-situ grain.

4.5 Offers of cereals for in-situ takeover will **not** be considered unless the store, including its facilities and equipment, is in our opinion suitable for use as an intervention store and we deem the financial standing of the storer to be sound.

5. MAKING AN OFFER

5.1 When the store has been accepted as suitable for intervention storage, including passing any financial check satisfactory. You may then make an in-situ offer. An offer form (CEPU 5), supporting documentation and, if appropriate, the wheat test fee (paragraph 4.2) are sent to the Cereals Intervention Section. The offerer:

- requests in-situ takeover of not less than 5,000 tonnes of cereals held in one shed, silo, bin or any agreed group of such;
- lists using the relevant form (CEPU 5) or his own computer print-out if preferred, each truck load contained within the heap/silo. Such listing to include:
 - the weighbridge ticket numbers;
 - the net weight of each load of cereals;
 - the date of weighing, which must be within the previous 10 months and in any event no earlier than the previous 1 July;
 - a summary of the physical characteristics at the time of weighing, by truck load, determined in accordance with the methodology described in the Agency's leaflet IM(C)17. The cereals on offer must be of intervention standard at the time of offer.

5.2 If the grain was dried between intake and offer, details of the adjusted weights and revised physical characteristics must be listed on the CEPU 5 on a load by load basis:

- The adjusted weight must be calculated by the following formula:

$$W2 = (W1 \times 0.98) \times (1 - (M1 - M2) \times 0.0125)$$

Where:

W1 = original weight

W2 = final weight

M1 = original moisture content

M2 = final moisture content

- Paperwork showing the adjusted weights credited to growers must be available as evidence of the quantity of grain going into store.
- The dried and screened grain must all be of intervention standard.

- 5.3 In addition the offerer:
- declares that the consignment offered is that shown in the store records;
 - confirms the name, address and telephone number of the storekeeper;
 - confirms in the case of on-floor storage that the cereals were loaded into store by means of an elevator or thrower;
 - declares a summary of any treatment given to the cereals e.g. pesticide treatment;
 - submits a completed Claim Form (CEPU 11) in respect of the offered tonnage.
- 5.4 Offerers must provide a test fee (see Annex 9) with offers of wheat.

6. PROVISIONAL ACCEPTANCE

- 6.1 Subject to the offer being found to be valid in all respects we will issue a notice confirming provisional acceptance of the offer. The date of issue of such notice confirming provisional acceptance fixes the operative event from euros to £sterling.

7. RPAI INSPECTION

- 7.1 As soon as possible after the issue of a notice of provisional acceptance the RPAI will visit the store. The purpose of the visit will be to:
- verify the location and existence of the cereals;
 - verify that the grain is separate, identifiable and accessible;
 - examine the store records including weighbridge tickets and analysis sheets; and
 - examine the store, its facilities and equipment.
- 7.2 If the RPAI inspection is satisfactory the offer will be allowed to proceed. Otherwise the offer will be rejected.

8. SAMPLING AND TESTING

- 8.1 Following satisfactory inspection by the RPAI, they or our representative will visit the store to sample the cereals at the rate of at least one sample for each 60 tonnes in store. The samples will be combined to form an aggregate sample for the offer. The aggregate sample will then be despatched to our contracted laboratory for examination/analysis of the physical and, for wheat, technical characteristics. As explained in paragraph 15.3 of the main leaflet, offerers will be given the option of withdrawing offers of wheat or proceeding to a dough machinability test if the zelery index of wheat falls between 22 and 29.
- 8.2 The analytical results will be appraised by the RPAI. If the aggregate sample of cereals is found to be below intervention minimum quality the offerer will be sent a notice of rejection of the whole offer. The normal appeal procedure will be available.
- 8.3 If the moisture content results show a difference in moisture level of more than 1% when compared with the levels listed at the date of offer then the offer in-situ will be rejected.

9. VOLUMETRIC ASSESSMENT

- 9.1 If analysis shows the offer to be of intervention standard the RPAI or their representative will, within 45 days, visit the store to volumetrically assess the tonnage offered. This should be within a tolerance of 5%. If the volumetric assessment indicates a total quantity which is outside the permitted tolerance when compared with the quantity offered as reflected in the stock records, the cereals will be re-weighed forthwith. If the result of this operation shows that there is less grain than originally stated, the cost of re-weighing will be borne by the storer. However, if the result shows there to be more grain the cost will be met by EAGF.

In cases where the tolerance is not exceeded, any differences between the quantity taken over and the tonnage weighed out on discharge from store must be met by the storer. Please see paragraph 14.

10. MOISTURE CONTENT ADJUSTMENT AND ISSUE OF THE TAKEOVER CERTIFICATE

10.1 Following satisfactory volumetric assessment and analytical results it may be necessary to adjust the weight to take account of a difference between the average moisture content at the time of offer and the average moisture content of the aggregate sample taken by our inspectors. An adjustment will only be made if the comparison of results shows a reduction in moisture content of not more than 1%. In such cases a **downward** adjustment to the offered weight will be made. We will then issue to the offerer a takeover certificate and pricing document confirming the quantity taken over and amount payable to the offerer. The quality characteristics used to determine the supplements/discounts to be applied to the basic price will be those we determine following the analysis of samples drawn by our inspectors. The takeover certificate will be sent to the storekeeper for countersignature. The date of issue of the takeover certificate will determine the date on which the store becomes an intervention store. The takeover date will also determine the intervention price payable.

11. PAYMENT PERIOD AND OFFER PRICE

11.1 The Agency will arrange for payment to be made between the 30th and 35th day following the issue of the takeover certificate. Offerers invoices are not required.

11.2 Claims will be reduced by the **discharge** costs of the quantity taken over and by the total cost of transport (fixed rate and mileage rate) between the intervention store and the nearest intervention centre. There may also be some price adjustment based on the average quality specification of the cereals in store.

12. WITHDRAWAL OF OFFERS

12.1 An offer may be withdrawn without charge if a takeover certificate is not issued within 50 working days of the date we receive the offer.

12.2 Offers withdrawn in other circumstances may be subject to recovery of the costs associated with inspection, sampling and analysis costs for determination of the physical characteristics of the cereals offered.

12.3 Once withdrawn, the offer loses its status as an in-situ offer. If the cereals were to be subsequently re-offered we may require the offerer to deliver the grain to a designated intervention store.

13. IN-SITU STORAGE COSTS

13.1 Intake, storage, reservation and discharge rates will be paid at standard in-situ rates set annually by the Agency. These will be notified to the trade associations each year prior to the 30th August. After 12 months the storage rate be aligned to the average to the average commercial rate, if this is less.

13.2 No store reservation fees will be paid in an in-situ store for surplus space available at the time of the in-situ offer. However, if the volume of cereals in store is subsequently reduced on our instructions, we will pay a reservation fee on the difference between the volume of the cereals taken over and the revised stock figure.

14. STOREKEEPERS RESPONSIBILITY FOR THE STORED GRAIN

14.1 The normal storage and discharge conditions will apply with the exception that the storekeeper will be responsible for the discharge of the quantity taken over. No allowance will be made for losses.

Mycotoxin risk assessment model for Intervention store managers 2008 Update

Mycotoxin model (See Appendix 1)

The model is based on the main factors that determine the risk of Fusarium infection of grain and the likely risk of mycotoxins being present in grain being offered into intervention. There is a Mycotoxin risk assessment tool available from HGCA for crops harvested in 2008 (www.hgca.com) This should be used in preference to the model presented in 2007 as it takes account of more recent research and avoids confusion over slightly different factor weightings.

The main factors in the model are:

1. Regional risk
2. Rainfall in key development periods
3. Rotational position of crop
4. Cultivations prior to crop grown
5. Variety
6. In-season disease information

Note:

7. Delayed harvest is another factor to consider in 2008

Summary of 2008 Update

- **The risk of high levels of fusarium mycotoxins in 2008 is very high in all situations. Levels are above those of 2004, the worst year since surveys began.**
- **The above average temperatures and the high rainfall during May and June, has increased the risk of fusarium ear infections and mycotoxin development in wheat, barley and oats in all situations. Wheat remains more at risk than other cereals.**
- **Many more wheat crops will be at increased risk of mycotoxin infection this year because of the wet harvest.**
- **The distribution of mycotoxin producing species particularly *Fusarium graminearum* is extending northwards. This has changed the risk of the counties Leicestershire, Nottinghamshire, Northamptonshire and Yorkshire to high (see Fig. 7).**
- **Mycotoxin production may have continued post-harvest in crops that had a high moisture content (>25%) at harvest. A separate storage risk assessment should be done for these crops.**
- **Crops direct drilled after maize are at extreme risk.**
- **Crops harvested after mid-September in the north and west require careful examination.**

Update for 2008

In 2007, support for the selection of year, region, previous cropping, cultivations, varietal resistance and maize in the mycotoxin model can found

in a recent HGCA report : Edwards,S (2007) HGCA Project report No. 413 Investigation of Fusarium mycotoxins in UK wheat production. There has been some further adjustment to the counties at risk as *Fusarium garminearum* distribution has extended northwards (see www.cropmonitor.co.uk). The counties of Leicestershire, Nottinghamshire, Northamptonshire and Yorkshire are considered high risk areas.

Weather

During 2008 the weather patterns have been outside the normal range and there are influences on risk from:

1. Above average rainfall and above average temperatures at flowering (early-to mid June)(Figure 1)
2. Above average temperatures at flowering (early-to mid June)(Figures 2, 3 and 4)
3. High rainfall during harvest in August and September (Figure 5 and 6).

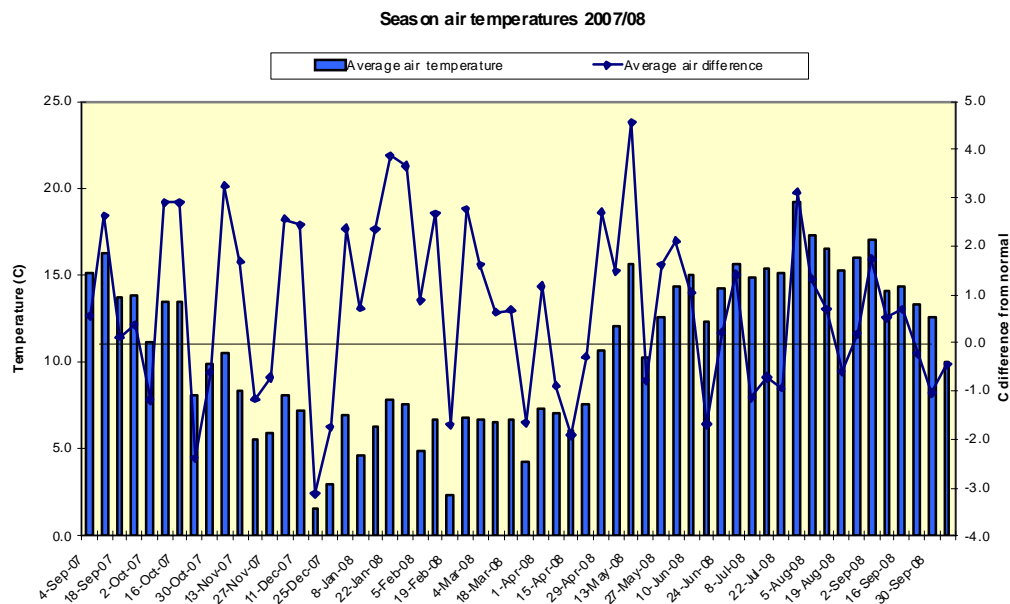


Figure 1. Air temperatures have fluctuated above and below the average since the autumn. Weekly means were 3-4°C above average for short periods on several occasions. Slightly warmer than average in early June when most crops were flowering (Source-Met office data).

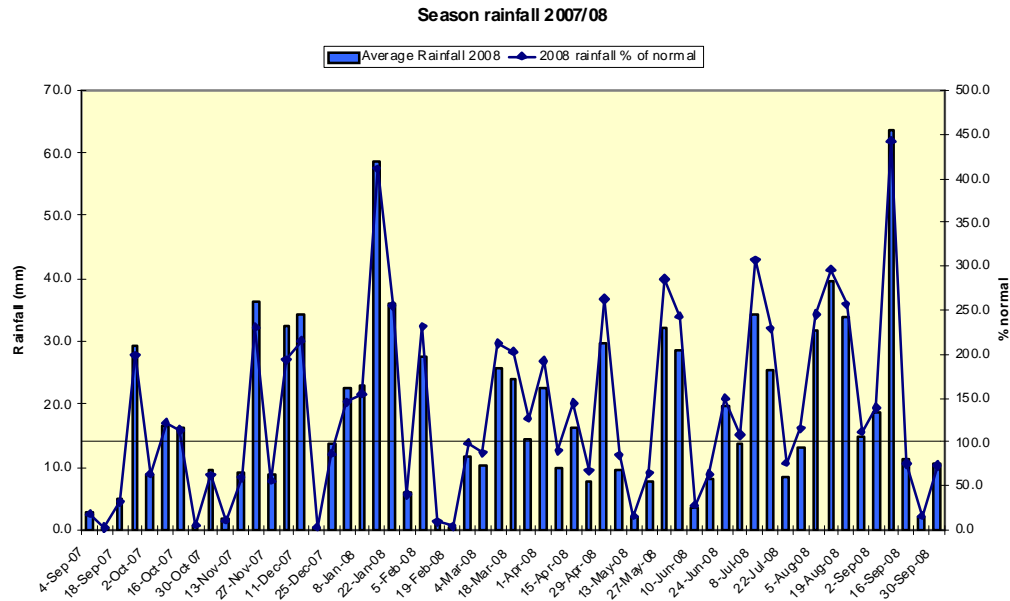


Figure 2. National weekly average rainfall for crop year 2007/08 showing frequent high rainfall (including early June when crops were flowering) and short periods of low rainfall in late Oct/Nov, mid Feb/mid March, most of May and mid-June. (Source-Met office data)

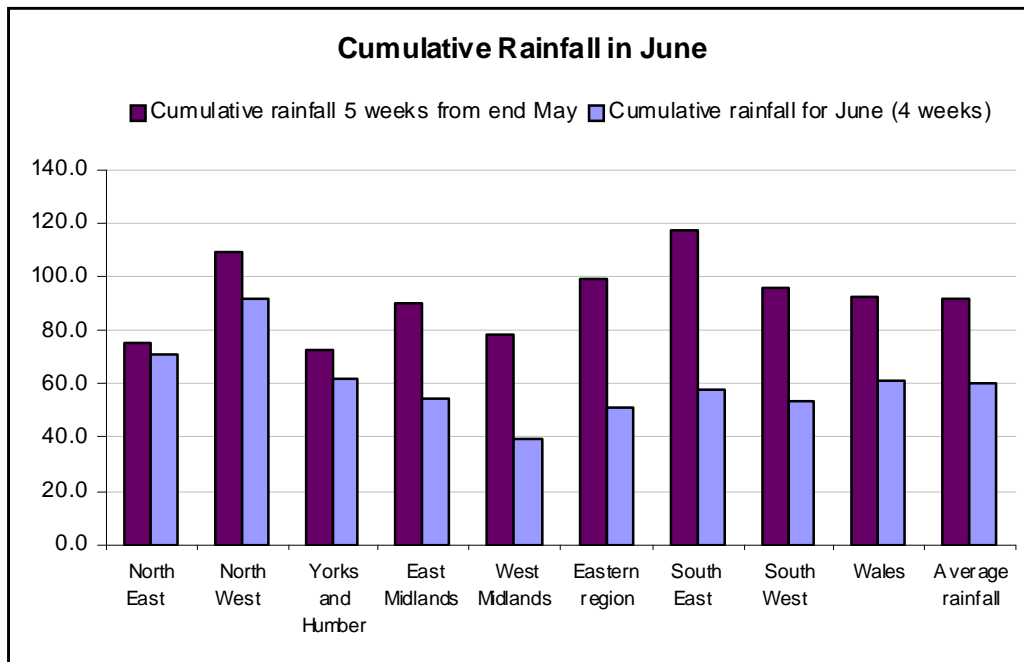


Figure 3. All regions had high rainfall in June. There was also high rainfall in late May in the east and south that may have favoured Fusarium infection in crops that flowered early. (Source-Met office data).

Crop growth and development was close to average, though growth was less vigorous than in recent years. Winter wheat varieties at ADAS Boxworth (Cambridgeshire) were at early ear emergence (GS 51) by 30 May compared

with flag leaf sheath opening (GS 47) on the same date in 2006 and 2005 and mid-anthesis (GS 63) in 2007. Late May rainfall which was heaviest across the Midlands, east, south-west and south-east regions may have been influential where crops were flowering during this period. June rainfall was lowest in the west Midlands and only exceeded 70mm in the north-east and north-west regions. This was well below totals in 2007 for June.

The HGCA model considers rainfall during flowering (GS 59-69) and this relates to a 2-3 week period in most crops. Weekly rainfall from late May to mid June is important in early crops and the first three weeks of June for average crops (See Fig. 4). It is likely that crops in all regions received at least 40 mm rain during flowering. Forward flowering crops affected by rain in late May in the south-east, south-west and east and east Midlands may be at higher risk than 'average crops' in all regions. Later crops in the north-west and north-east may have been affected by rain in week ending 24 June, overriding benefits of drier periods in early June.

The low rainfall periods were shorter than those experienced in late March and April in 2007. May had three weeks with below average rainfall and these were followed by high rainfall at flowering, a combination favouring spore production at the stem base by *Fusarium* spp. and their dispersal.

The rainfall around the critical flowering period has exceeded 40 mm in all regions. Small differences in crop development in the south, east and Midlands areas could be important when late May rainfall is considered.

Lodging

A further factor influenced by rainfall is the level of crop lodging which increased with delays to harvest. The number of crops seriously affected by lodging was relatively low, however, many late harvested crops have had some level of lodging.

For 2008, severely lodged crops should be considered at higher risk than unlodged crops.

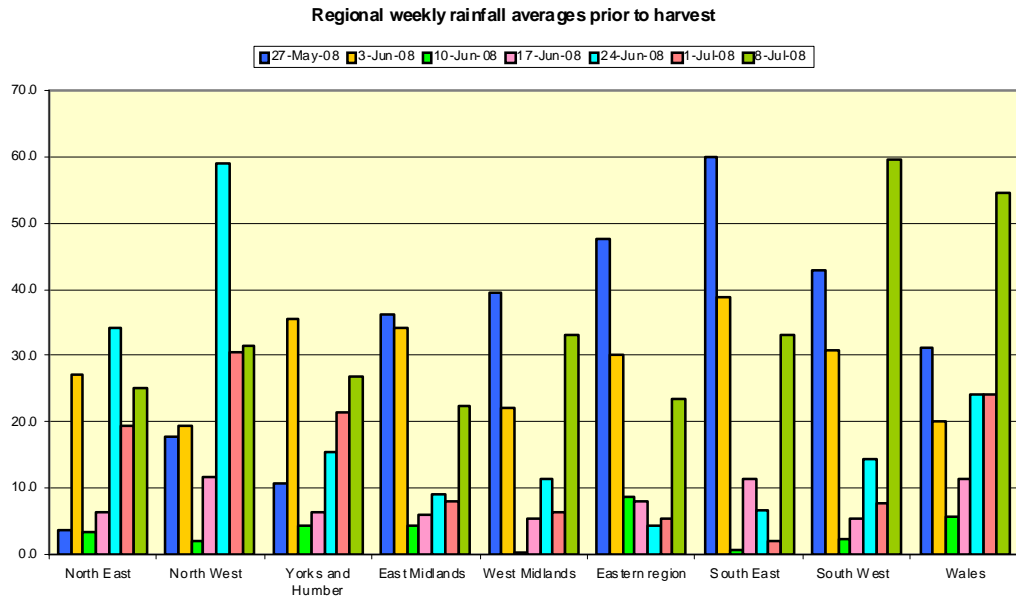


Figure 4. High rainfall was recorded in south, east and Midlands in late May/early June and more generally in early July.

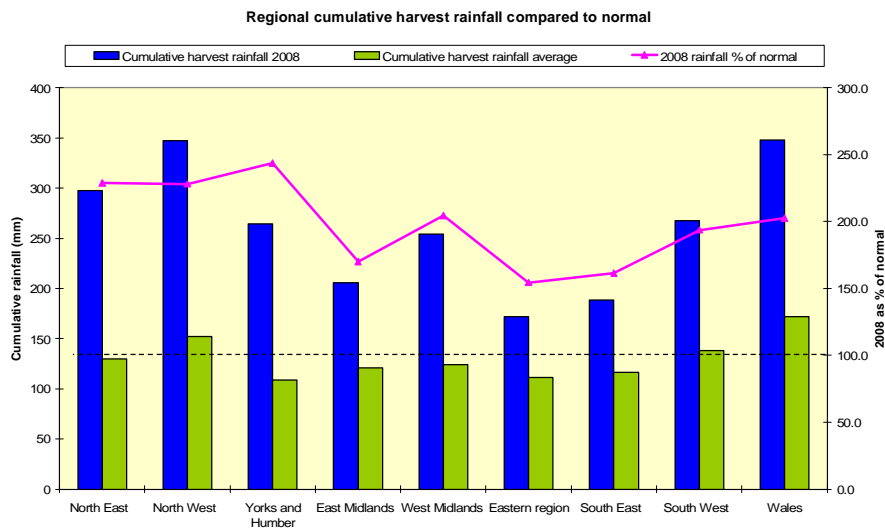


Figure 5. There was unusually high rainfall during the normal harvesting period of early July to mid-September. The eastern sector had less rain than the west and north.

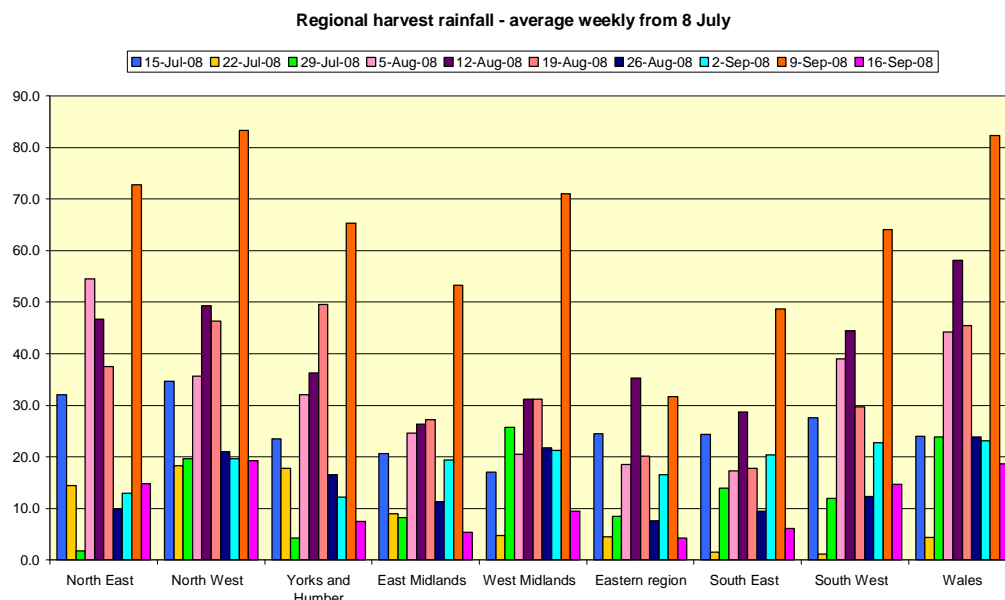


Figure 6. Weekly rainfall during the normal harvesting period of early July to mid-September. It was above average in 8 weeks out of 10 and averaged 260 mm (almost 200% of normal).

Wet and late harvesting in 2008

The high rainfall during harvesting delayed harvesting of some wheat crops by up to 4 weeks. This was an unusual feature and it is likely to affect mycotoxin risk. Rainfall totals are much higher than the 20mm threshold cited in the HGCA Risk Assessment tool. Harvest progress in 2008 (Table 6) can be compared with an average year such as 2007 (Table 7). Mycotoxin risks are judged to be higher where rainfall is high on late harvested crops. Where grain remains moist *Fusarium* spp are likely to remain active and continue production of mycotoxin. This might continue post-harvest in stores whilst grain remains >25% moisture content. The risk of mycotoxins being produced in store is not specifically considered in this report and it is assumed that a separate Grain storage assessment will be carried out where moist grain was harvested.

Rainfall was very high in all regions for week ending 9 September (Table 8) and crops harvested after this date should be considered to have an additional risk of mycotoxin problems. There is insufficient data available to quantify the effects of delayed harvesting and rainfall on mycotoxin production. The regions with the highest proportion of late harvested crops were in the north and west and (fortunately) these are the areas with low levels of mycotoxin producing *Fusarium* spp. However, an extra category should be added to the risk assessment.

Table 6. Harvest Progress 2008 (% crops harvested each week).

| Winter Wheat | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
|---------------------------|----------|----------|----------|---------|----------|----------|----------|---------|---------|----------|----------|
| | End 15/7 | End 22/7 | End 29/7 | End 5/8 | End 12/8 | End 19/8 | End 26/8 | End 2/9 | End 9/9 | End 16/9 | End 24/9 |
| | % | % | % | % | % | % | % | % | % | % | % |
| North East | 0% | 0% | 0% | 0% | 0% | 0% | 1% | 16% | 19% | 48% | 90% |
| North West | 0% | 0% | 0% | 0% | 0% | 1% | 10% | 71% | 71% | 87% | 95% |
| Yorks & Humber | 0% | 0% | 0% | 0% | 0% | 2% | 9% | 55% | 57% | 75% | 93% |
| East Midlands | 0% | 0% | 0% | 0% | 1% | 6% | 18% | 80% | 80% | 92% | 98% |
| West Midlands | 0% | 0% | 0% | 0% | 0% | 1% | 14% | 51% | 55% | 69% | 95% |
| Eastern | 0% | 0% | 1% | 2% | 4% | 32% | 47% | 78% | 78% | 92% | 99% |
| South East | 0% | 0% | 0% | 1% | 3% | 11% | 54% | 80% | 87% | 94% | 100% |
| South West | 0% | 0% | 0% | 0% | 7% | 24% | 49% | 75% | 60% | 93% | 100% |
| Wales | 0% | 0% | 0% | 0% | 4% | 4% | 13% | 49% | 71% | 80% | 95% |
| Scotland | 0% | 0% | 0% | 0% | 0% | 0% | 1% | 17% | 39% | 47% | 81% |
| Average E&W | 0% | 0% | 0% | 1% | 3% | 15% | 32% | 70% | 70% | 86% | 98% |
| Average UK | 0% | 0% | 0% | 1% | 2% | 14% | 30% | 67% | 69% | 84% | 92% |
| This time 2007 | 0% | 0% | 1% | 13% | 50% | 54% | 80% | 93% | 97% | 100% | 100% |

Table 7. Harvest Progress 2007, an average year (% crops harvested each week).

| Winter Wheat | 1 End 19/7 | 2 End 26/7 | 3 End 2/8 | 4 End 9/8 | 5 End 16/8 | 6 End 23/8 | 7 End 26/8 | 8 End 2/9 | 9 End 9/9 | 10 End 16/9 |
|----------------------------|---------------|---------------|--------------|--------------|---------------|---------------|---------------|--------------|--------------|----------------|
| | % | % | % | % | % | % | % | % | % | % |
| North East | 0% | 0% | 0.0 | 8% | 17% | 22% | 52% | 74% | 96% | 100% |
| North West | 0% | 0% | 0.0 | 10% | 26% | 31% | 80% | 90% | 100% | 100% |
| Yorks & Humber | 0% | 0% | 0.0 | 12% | 41% | 46% | 82% | 97% | 100% | 100% |
| East Midlands | 0% | 0% | 0.0 | 10% | 65% | 68% | 90% | 99% | 100% | 100% |
| West Midlands | 0% | 0% | 0.0 | 13% | 51% | 55% | 77% | 95% | 99% | 100% |
| Eastern | 0% | 0% | 0.5 | 29% | 66% | 73% | 84% | 98% | 100% | 100% |
| South East | 0% | 0% | 0.5 | 17% | 72% | 77% | 95% | 99% | 100% | 100% |
| South West | 0% | 0% | 0.5 | 19% | 74% | 78% | 97% | 100% | 100% | 100% |
| Wales | 0% | 0% | 0.1 | 13% | 47% | 75% | 99% | 100% | 100% | 100% |
| Scotland | 0% | 0% | 0.0 | 0% | 1% | 1% | 12% | 37% | 61% | 98% |
| Average E&W | 0% | 0% | 0.0 | 14% | 52% | 57% | 84% | 96% | 100% | 100% |
| Average UK | 0% | 0% | 0.0 | 13% | 50% | 54% | 80% | 93% | 97% | 100% |
| This time last year | 0% | 0% | 1.0 | 36% | 59% | 70% | 80% | 91% | 99% | 100% |

Table 8. Weekly Rainfall 2008, with weekly totals for each region that affected late harvested crops highlighted in yellow.

| Winter Wheat | 1 End 15/7 | 2 End 22/7 | 3 End 29/7 | 4 End 5/8 | 5 End 12/8 | 6 End 19/8 | 7 End 26/8 | 8 End 2/9 | 9 End 9/9 | 10 End 16/9 | 11 End 24/9 |
|------------------------|-----------------------|-----------------------|-----------------------|----------------------|-----------------------|-----------------------|-----------------------|----------------------|----------------------|------------------------|------------------------|
| | Mm | Mm | Mm | Mm | Mm | Mm | Mm | Mm | Mm | Mm | Mm |
| North East | 32.0 | 14.5 | 1.8 | 54.5 | 46.8 | 37.5 | 10.0 | 13.0 | 72.8 | 14.8 | 2.3 |
| North West | 34.7 | 18.3 | 19.7 | 35.7 | 49.3 | 46.3 | 21.0 | 19.7 | 83.3 | 19.3 | 1.0 |
| Yorks & Humber | 23.5 | 17.8 | 4.3 | 32.0 | 36.3 | 49.5 | 16.5 | 12.3 | 65.3 | 7.5 | 4.0 |
| East Midlands | 20.6 | 9.0 | 8.2 | 24.6 | 26.4 | 27.2 | 11.4 | 19.4 | 53.2 | 5.4 | 3.4 |
| West Midlands | 17.0 | 4.8 | 25.8 | 20.5 | 31.3 | 31.3 | 21.8 | 21.3 | 71.0 | 9.5 | 2.0 |
| Eastern | 24.5 | 4.5 | 8.5 | 18.5 | 35.3 | 20.2 | 7.7 | 16.5 | 31.7 | 4.3 | 2.3 |
| South East | 24.3 | 1.6 | 13.9 | 17.3 | 28.7 | 17.8 | 9.4 | 20.4 | 48.7 | 6.1 | 2.1 |
| South West | 27.6 | 1.1 | 12.0 | 39.0 | 44.4 | 29.7 | 12.3 | 22.7 | 64.0 | 14.7 | 0.6 |
| Wales | 24.0 | 4.4 | 23.9 | 44.3 | 58.1 | 45.5 | 23.9 | 23.1 | 82.3 | 18.6 | 0.6 |
| Scotland | | | | | | | | | | | ? |
| Average E&W | 25.4 | 8.4 | 13.1 | 31.8 | 39.6 | 33.9 | 14.9 | 18.7 | 63.6 | 11.1 | 2.0 |

Table 9. Cumulative rainfall 2008

| Winter Wheat | 1 End 15/7 | 2 End 22/7 | 3 End 29/7 | 4 End 5/8 | 5 End 12/8 | 6 End 19/8 | 7 End 26/8 | 8 End 2/9 | 9 End 9/9 | 10 End 16/9 | 11 End 24/9 |
|------------------------|-----------------------|-----------------------|-----------------------|----------------------|-----------------------|-----------------------|-----------------------|----------------------|----------------------|------------------------|------------------------|
| | Mm | Mm | Mm | Mm | Mm | Mm | Mm | Mm | Mm | Mm | |
| North East | 32.0 | 46.5 | 48.3 | 102.8 | 149.5 | 187.0 | 197.0 | 210.0 | 282.8 | 297.5 | 299.8 |
| North West | 34.7 | 53.0 | 72.7 | 108.3 | 157.7 | 204.0 | 225.0 | 244.7 | 328.0 | 347.3 | 348.3 |
| Yorks & Humber | 23.5 | 41.3 | 45.5 | 77.5 | 113.8 | 163.3 | 179.8 | 192.0 | 257.3 | 264.8 | 268.8 |
| East Midlands | 20.6 | 29.6 | 37.8 | 62.4 | 88.8 | 116.0 | 127.4 | 146.8 | 200.0 | 205.4 | 208.8 |
| West Midlands | 17.0 | 21.8 | 47.5 | 68.0 | 99.3 | 130.5 | 152.3 | 173.5 | 244.5 | 254.0 | 256.0 |
| Eastern | 24.5 | 29.0 | 37.5 | 56.0 | 91.3 | 111.5 | 119.2 | 135.7 | 167.3 | 171.7 | 174.0 |
| South East | 24.3 | 25.9 | 39.8 | 57.1 | 85.8 | 103.6 | 113.0 | 133.4 | 182.1 | 188.2 | 190.3 |
| South West | 27.6 | 28.7 | 40.7 | 79.7 | 124.1 | 153.9 | 166.1 | 188.9 | 252.9 | 267.6 | 268.2 |
| Wales | 24.0 | 28.4 | 52.3 | 96.5 | 154.6 | 200.1 | 224.0 | 247.1 | 329.4 | 348.0 | 348.6 |
| Scotland | | | | | | | | | | | |
| Average E&W | 25.4 | 33.8 | 46.9 | 78.7 | 118.3 | 152.2 | 167.1 | 185.8 | 249.4 | 260.5 | 262.5 |

Previous crop or rotation

There is no change to the importance of maize as the most important single risk factor. There was only a small increase in maize production from 2007 to 2008 of about 4.4% (6,400 ha).

Cultivations

Crops following on ploughed land are at significantly lower risk than those following non-inversion tillage.

Varieties

There is concern that most varieties have Fusarium ear blight ratings in the range of 4-6 on the 2008/09 HGCA Recommended List. Ambrosia is the most susceptible on the list with a rating of 3 and only a few varieties have a rating of 7 (e.g. Einstein, Soissons, Claire, Nijinsky and Istabraq).

In-season disease

Wheat disease survey samples examined by CSL showed a high incidence of crops with Fusarium head blight on the ears in 2008 with 64% samples affected. This is lower than in 2007, when 86% samples were affected. Preliminary results (see www.cropmonitor.co.uk) suggested that *Microdochium* species were the most common species but these pathogens do not produce mycotoxins. However, in both 2007 and 2008, *F. graminearum* was present in over 25% of samples and appears to be spreading northwards.

More generally, CropMonitor reports indicated the Fusarium head blight caused by *Fusarium culmorum* is tending to decline whilst the prevalence of *F. graminearum* is increasing. In 2008, crop surveys suggested the highest mycotoxin risk was in the south-east and east Midlands regions with the East, south-west and Yorkshire/Humberside regions being slight lower risk. The north-east, north-west and west Midlands were considered low risk by CropMonitor prior to any factors affecting harvest. These three regions had significant problems with the late harvest, but may still have a lower risk based on the less frequent occurrence of mycotoxin producing *Fusarium* species.

The high rainfall and above average temperatures at flowering has been very favourable for development of *Fusarium* spp. on wheat ears and in-season reports again indicate a high risk of mycotoxins in 2008, possibly greater than in 2007. The situation is likely be aggravated by wet conditions at harvest.

Fungicides

Fungicides applied to the ear may reduce mycotoxin levels by 30% (see Edwards,S (2007) HGCA Project report No. 413 Investigation of Fusarium mycotoxins in UK wheat production).

The performance of fungicides is variable and influenced by product, dose and timing. Fungicide applications to the ear, the critical stage for protection against Fusarium infection, must be well-timed and at robust rates. This is not yet established practise as

many farmers continue to use reduced rates. With the additional problems of a wet harvest, fungicide benefits may be smaller than in previous years.



Fig. 7. Risk of Fusarium Mycotoxins in England and Wales in 2008 (based on occurrence of *Fusarium* spp. and weather (HGCA)). Late harvested crops in all regions should also be considered at moderate to high risk.

Mycotoxin levels in crops harvested 2008

Initial tests by HGCA and FSA show much higher levels of DON and ZEA than usual in wheat samples in 2008. Almost all samples have mycotoxins present and a significant number have >1250 ppb DON or >100ppb ZEA. Milling wheats appear to have few crops above the mycotoxin limits for unprocessed cereals (see HGCA Fusarium mycotoxin incidence and levels - <http://www.hgca.com/content.output/1757/1757/Resources/Tools/Fusarium%20mycotoxin%20incidence%20and%20levels.msp> and in Annex 1)

Other cereals

Barley

The mycotoxin risk has been considered very low in barley. Winter barley crops would have completed flowering well before the high rainfall in late May and June. There may be some risk in 2008 particularly where spring barley was flowering in late May or June.

Delayed harvesting and storage of damp grain are features of 2008 that need to be considered particularly in the north and west.

Initial tests show much higher levels of DON and ZEA than usual in feed barley samples (see HGCA Fusarium mycotoxin incidence and levels)

The mycotoxin risk in barley in 2008 should be considered much higher than usual.

Oats

Some mycotoxin risk is associated with oats. The more extreme weather in 2008 is likely to have favoured development of fusarium ear blight in oats.

Initial tests show the highest levels of DON and ZEA in oats since 2004 (see HGCA Fusarium mycotoxin incidence and levels)

Mycotoxin risk may be higher in oats in 2008 than in recent years.

Further work options to improve model

1. Validation of the risk models



Data on mycotoxins would enable the risk model to be validated and the inclusion of ochratoxin data might enable harvest weather factors to be included in an improved model of overall mycotoxin risk. New risk factors relating to rainfall, temperature and delayed harvest should be considered as part of model validation and improvement.

2. Monitoring of fusarium spp. and mycotoxins in lodged crop

There is insufficient data on the influence of lodging on fusarium and mycotoxin levels. The effects of lodging on mycotoxin risk are not well established. It would be opportune to examine samples taken from lodged and unlodged crops in some selected higher risk localities to determine levels of fusarium mycotoxins and ochratoxin A. This would need to be interpreted with weather data post-lodging and at harvest and be used to improve the existing mycotoxin model in future.

APPENDIX 1

HGCA Fusarium Mycotoxin risk assessment tool 2008

|  | | Mycotoxin Risk Assessment Sheet | | | | | | | |  | |
|---|----------------------------------|---|----------|----------------|----------------|----------------|----------------|----------------|----------------|---|--|
| | | Please refer to the HGCA Guidelines to minimise risk of fusarium mycotoxins prior to completing your risk assessment. | | | | | | | | | |
| Farm name | | | | | | | | | | For instructions on how to use the form: Click here | |
| Town | | | | | | | | | | | |
| County | | | | | | | | | | | |
| Postcode | | | | | | | | | | | |
| | | <<Store name>> | | <<field name>> | <<field name>> | <<field name>> | <<field name>> | <<field name>> | <<field name>> | <<field name>> | |
| Factor | Details | Ris | Score | Score | Score | Score | Score | Score | Score | Score | |
| Region (see map below) | High | 4 | | | | | | | | | |
| | Moderate | 2 | | | | | | | | | |
| | Low | 1 | | | | | | | | | |
| | Very low | 0 | | | | | | | | | |
| Previous Crop | Maize | 6 | | | | | | | | | |
| | Other | 0 | | | | | | | | | |
| Cultivation | Direct drilled | 4 | | | | | | | | | |
| | Standard Minimum tillage | 3 | | | | | | | | | |
| | Intensive Minimum tillage | 2 | | | | | | | | | |
| | Plough (soil inversion) | 0 | | | | | | | | | |
| Wheat variety | RL Resistance rating 1-5 | 1 | | | | | | | | | |
| | RL Resistance rating 6-9 | 0 | | | | | | | | | |
| Your pre-flowering score | | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| T3 | Under 50% of recommended product | 0 | | | | | | | | | |
| | 50-74% of recommended product | -2 | | | | | | | | | |
| | 75% or above of recommended | -3 | | | | | | | | | |
| Rainfall at flowering | High (more than 40mm) | 5 | | | | | | | | | |
| | Moderate (10-40mm) | 2 | | | | | | | | | |
| | Low (less than 10mm) | 0 | | | | | | | | | |
| Rainfall pre-harvest | Wet (more than 20mm) | 3 | | | | | | | | | |
| | Dry (less than 20mm) | 0 | | | | | | | | | |
| Your final score | | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Risk | | | Low | Low | Low | Low | Low | Low | Low | Low | |
| Risk | Final Score | | | | | | | | | | |
| High | Over 15 | | | | | | | | | | |
| Medium | 10-15 | | | | | | | | | | |
| Low | Under 10 | | | | | | | | | | |
| | | | Date: | | | | Signature: | | | | |

APPENDIX 2

INTERVENTION FUSARIUM RISK MODEL 2007 (used in 2007 report but now replaced by HGCA Model in Appendix 1)

| | Risk factor | Explanation | Risk score |
|---|-------------------------|---|---------------|
| 1 | Grain offered | Wheat | 2 |
| | | Barley | - 3 |
| 2 | Region | Combination of Fusarium incidence, climate and cropping | |
| | (See Figure 1) | High risk on map | 5 |
| | | Medium risk on map | 3 |
| | | Low risk on map | 1 |
| 3 | Rainfall in area | Rainfall in June increases risk | |
| | | <70mm in June = Low risk on map | 2 |
| | | >70mm in June = High risk on map All areas had >70mm June rainfall in 2007 | 5 |
| 4 | Rotation | Previous crop: | |
| | | Maize | 10 |
| | | Wheat | 3 |
| | | Other | 0 |
| 5 | Cultivations | | |
| | | Plough | - 5 |
| | | Non plough | 3 |
| 6 | Variety | | |
| | | Wheat | |
| | | Resistance rating 3-5 | 4 |
| | | Resistance rating 6-7 | 2 |
| | | Barley | All varieties |
| | | (Majority of barley crops very low risk) | |

| If total score : | RISK |
|------------------|---------------|
| <10 | Low |
| 10-19 | Medium |
| >20 | High |

If risk is regarded as high (>20) – Consider testing lot before loading.

APPENDIX 3 Examples for 2008

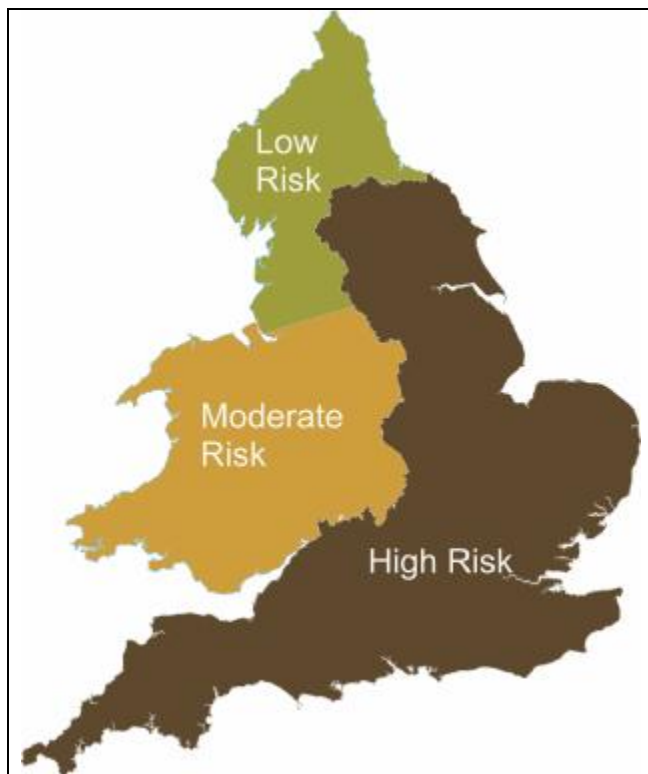


Figure 7. Regional risk of mycotoxin-producing Fusarium ear blights.

Risk examples for 2008: (scores over 15 for high risk)

Wheat following a break crop (OSR, beans, peas, potatoes, sugar beet) or wheat

- If min til scores 12-16 medium to high risk depending on region; medium risk if fungicide effective at T3
- If ploughed scores 9-13 low to medium risk depending on region; low risk if fungicide effective at T3

Wheat following maize

- If ploughed scores 18-19 high risk in south and central England, slightly lower if a robust fungicide used at flowering
- If direct drilled scores 22-23 in south and central England so very high risk even with T3 fungicide.

WARNING

More crops are at medium-high risk this year due to the unsettled June weather. Wet harvest weather impacts on mycotoxins are not fully understood and may be underestimated for late harvested crops

Reference

[Topic Sheet 102 Managing fusarium mycotoxin risk in wheat intended for human food - harvest 2008](#)

Annex 1 – Results of HGCA mycotoxin sampling November 2008

Summary Field (fusarium) mycotoxins (DON & ZEA) results- UK Cereals

DON

| WHEAT | | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 |
|-----------------------------|--------------|------------------------------------|------|------|------|------|------|------|
| Milling | Number | N/A | 60 | 50 | 45 | 33 | 41 | 43 |
| | Incidence, % | | 87 | 86 | 91 | 67 | 95 | 98 |
| | Mean | | 123 | 114 | 113 | 38 | 166 | 269 |
| | Median | | 44 | 55 | 52 | 19 | 97 | 198 |
| | >1250ppb, %* | | 1.7 | 0 | 0 | 0 | 0 | 0 |
| Feed | Number | N/A | N/A | 22 | N/A | 10 | 13 | 6 |
| | Incidence, % | | | 95 | | 40 | 85 | 83 |
| | Mean | | | 96 | | 18 | 160 | 566 |
| | Median | | | 45 | | 5 | 67 | 595 |
| | >1250ppb, %# | | | 0 | | 0 | 0 | 17 |
| Intended use unknown | Number | 343 | 328 | 344 | 326 | 182 | 152 | 149 |
| | Incidence, % | 78 | 89 | 92 | 92 | 77 | 98 | 99 |
| | Mean | 117 | 218 | 469 | 242 | 41 | 314 | 675 |
| | Median | 30 | 38 | 65 | 65 | 17 | 144 | 356 |
| | >1250ppb, % | 1.7 | 2.4 | 3.3 | 1.3 | 0 | 3.9 | 14.8 |
| BARLEY | | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 |
| Malting | Number | 43 (26 milled barley (17 samples)) | 36 | 40 | 18 | 40 | 60 | 35 |
| | Incidence, % | 19 | 22 | 23 | 6 | 10 | 44 | 74 |
| | Mean | 7.6 | 6.3 | 8.8 | 3.3 | 4.7 | 38 | 72 |
| | Median | 2.5 | 2.5 | 2.5 | 2.5 | 2.5 | 5 | 26 |
| | >1250ppb, % | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Feed | Number | N/A | N/A | 26 | 21 | 8 | 11 | 6 |
| | Incidence, % | | | 19 | 24 | 25 | 0 | 83 |
| | Mean | | | 9.4 | 11.8 | 7.2 | 5 | 566 |
| | Median | | | 2.5 | 2.5 | 2.5 | 5 | 595 |
| | >1250ppb, % | | | 0 | 0 | 0 | 0 | 17 |
| Intended use unknown | Number | 111 | 128 | 110 | 97 | | 111 | |
| | Incidence, % | 51 | 61 | 60 | 54 | | 59 | |
| | Mean | 18 | 18 | 19 | 30 | | 66 | |
| | Median | 11 | 12 | 11 | 11 | | 14 | |
| | >1250ppb, % | 0 | 0 | 0 | 1 | | 0.0 | |
| OATS | | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 |
| Feed | Number | N/A | N/A | 22 | 8 | 7 | 8 | 6 |
| | Incidence, % | | | 32 | 50 | 14 | 0 | 33 |
| | Mean | | | 73 | 10.8 | 26 | 5 | 49 |
| | Median | | | 2.5 | 2.5 | 7 | 5 | 5 |
| | >1750ppb, % | | | 0 | 0 | 0 | 0 | 0 |
| Intended use unknown | Number | 92 | 104 | 128 | 134 | | 103 | |
| | Incidence, % | 12 | 32 | 33 | 45 | | 26 | |
| | Mean | 7 | 11 | 14 | 20 | | 12 | |
| | Median | <5 | <5 | <5 | <5 | | <5 | |
| | >1750ppb, % | 0 | 0 | 0 | 0 | | 0 | |

LoQ = 10ppb. Samples with results below LoQ given a value of LoQ/2 for calculation of mean and median.

* The 1250ppb currently applies only to raw grains for human consumption. NB. The percentage above 1250ppb is not that above the legal limit as this is 1250±MU (measurement of uncertainty).

the value of 1250ppb has been used for consistency but does not apply to feed grains. Guidance levels for feed grains can be found in the HGCA Guidelines to minimise risk of fusarium mycotoxins in cereals.

Updated 28 November 2008

ZEAR (ZON)

| WHEAT | | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 |
|-----------------------------|--------------|---------------------|------|------|------|------|------|------|
| Milling | Number | N/A | 60 | 50 | 45 | 33 | 41 | 43 |
| | Incidence, % | | 17 | 32 | 16 | 3 | 27 | 91 |
| | Mean | | 3.5 | 6.8 | 5.3 | 2.8 | 2.6 | 29 |
| | Median | | 1.5 | 2 | 1.5 | 2.5 | 1.0 | 19 |
| | >100ppb, %* | | 0 | 0 | 0 | 0 | 0 | 2.3 |
| Feed | Number | N/A | N/A | 22 | N/A | 10 | 13 | 9 |
| | Incidence, % | | | 77 | | 10 | 54 | 89 |
| | Mean | | | 41 | | 4.2 | 39 | 83 |
| | Median | | | 12 | | 1 | 6 | 13 |
| | >100ppb, %# | | | 0 | | 0 | 1 | 44 |
| Intended use unknown | Number | 343 | 328 | 344 | 326 | 182 | 152 | 149 |
| | Incidence, % | 43 | 31 | 63 | 23 | 8 | 28 | 97 |
| | Mean | 12 | 9 | 55 | 9 | 1 | 18 | 131 |
| | Median | <5 | <5 | 10 | <5 | 0 | <5 | 53 |
| | >100ppb, % | 0.6 | 1.2 | 11.3 | 1.2 | 0 | 2.6 | 29.3 |
| BARLEY | | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 |
| Malting | Number | 26 (malting barley) | 19 | 40 | 18 | 40 | 20 | |
| | Incidence, % | 0 | 10 | 2.5 | 0 | 2.5 | 30 | |
| | Mean | 1 | 1.9 | 1.3 | 1.0 | 1.0 | 4 | |
| | Median | 1 | 1.0 | 1.0 | 1.0 | 1.0 | 1 | |
| | >100ppb, % | 0 | 0 | 0 | 0 | 0 | 0 | |
| Feed | Number | N/A | N/A | 26 | 21 | 8 | 11 | 6 |
| | Incidence, % | | | 8 | 0 | 12.5 | 18 | 89 |
| | Mean | | | 3.3 | 1 | 1.1 | 1.5 | 81 |
| | Median | | | 1 | 1 | 1.0 | 1 | 13 |
| | >100ppb, % | | | 0 | 0 | 0 | 0 | 44 |
| Intended use unknown | Number | 111 | 128 | 50 | 50 | | 111 | |
| | Incidence, % | 9 | 2 | 20 | 2 | | 18 | |
| | Mean | 3 | 3 | 4 | 3 | | 10 | |
| | Median | <5 | <5 | <5 | <5 | | <5 | |
| | >100ppb, % | 0 | 0 | 0 | 0 | | 3.6 | |
| OATS | | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 |
| Feed | Number | N/A | N/A | 7 | 8 | 7 | 8 | 9 |
| | Incidence, % | | | 43 | 0 | 14 | 0 | 44 |
| | Mean | | | 6.7 | 1.1 | 1.1 | 1 | 2.3 |
| | Median | | | 1 | 1 | 1 | 1 | 1 |
| | >100ppb, % | | | 0 | 0 | 0 | 0 | 0 |
| Intended use unknown | Number | 92 | 104 | 50 | 50 | | 103 | |
| | Incidence, % | 3 | 1 | 2 | 2 | | 10 | |
| | Mean | 4 | 3 | 3 | 3 | | 2 | |
| | Median | <2.5 | <2.5 | <2.5 | <2.5 | | <2.5 | |
| | >100ppb, % | 0 | 0 | 0 | 0 | | 0 | |

LoQ = 5ppb. Samples with results below LoQ given a value of LoQ/2 for calculation of mean and median.

* The 100ppb currently applies only to raw grains for human consumption. NB. The percentage above 100ppb is not that above the legal limit as this is 100±MU (measurement of uncertainty).

the value of 100ppb has been used for consistency but does not apply to feed grains. Guidance levels for feed grains can be found in the HGCA Guidelines to minimise risk of fusarium mycotoxins in cereals.