



Council of the
European Union

Brussels, 27 September 2016
(OR. en)

12652/16

AGRI 506
AGRIORG 77
DELECT 201

COVER NOTE

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	26 September 2016
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

No. Cion doc.:	C(2016) 5889 final
Subject:	COMMISSION DELEGATED REGULATION (EU) .../... of 26.9.2016 amending Regulation (EEC) No 2568/91 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis

Delegations will find attached document C(2016) 5889 final.

Encl.: C(2016) 5889 final



Brussels, 26.9.2016
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COMMISSION DELEGATED REGULATION (EU) .../...

of 26.9.2016

amending Regulation (EEC) No 2568/91 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products (CMO Regulation) empowers the Commission to adopt delegated acts.

The purpose of this delegated act is to modify Commission Regulation (EEC) No 2568/91. In particular, it intends to maintain the limit for the fatty acid ethyl ester limit for extra virgin olive oil at its current level, to modify the limit for heptadecanoic, heptadecenoic, eicosenoic acids for all categories of olive and olive-pomace oil and the specific extinction coefficient at wavelength 270 nm (k270) for olive oil and refined olive oils so that they are in line with the most recent trade standard applying to olive oils and olive-pomace oils amended and published by the International Olive Council (IOC).

At the same time, this delegated act intends to change the presentation of the Annex on olive oils characteristics.

This delegated act amends Commission Regulation (EEC) No 2568/91 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis.

The adoption of this delegated act does not entail financial implications.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

Consultations, involving experts from all the 28 Member States took place within the Experts Group on delegated acts under the single CMO during the meetings held on 14 April 2016 and 15 September 2016 where a draft text was presented and agreed. *The draft version of the present act was transmitted to the European Parliament and to the Council when convening the Experts Group meetings.*

3. LEGAL ELEMENTS OF THE DELEGATED ACT

The act contains two articles which modify Annex I of Commission Regulation (EEC) No 2568/91 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis with the aim to keep unchanged one parameter limit and to change four parameter limits.

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

of 26.9.2016

amending Regulation (EEC) No 2568/91 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007¹, and in particular Article 75(2) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2568/91² defines the physico-chemical and organoleptic characteristics of olive oil and olive-pomace oil and lays down methods of assessing those characteristics. Those methods and the limit values for the characteristics of oils are regularly updated on the basis of the opinion of chemical experts and in line with the work carried out within the International Olive Council (IOC).
- (2) In order to ensure the implementation at Union level of the most recent international standards established by the IOC, the limit values for fatty acid ethyl ester, heptadecanoic, heptadecenoic, eicosenoic acids and the specific extinction coefficient at wavelength 270 nm laid down in Annex I to Regulation (EEC) No 2568/91 should be adjusted. At the same time, in order to ensure consistency with the presentation of purity and quality parameters of the IOC standard, that presentation should be reflected in that Annex.
- (3) Regulation (EEC) No 2568/91 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 2568/91 is replaced by the text set out in the Annex to this Regulation.

¹ OJ L 347, 20.12.2013, p. 671.

² Commission Regulation (EEC) No 2568/91 of 11 July 1991 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis (OJ L 248, 5.9.1991, p. 1).

Article 2

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

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

Done at Brussels, 26.9.2016

For the Commission
The President
Jean-Claude JUNCKER