

## COMMISSION IMPLEMENTING DECISION

of 21 December 2011

**amending Decision 2009/861/EC on transitional measures under Regulation (EC) No 853/2004 of the European Parliament and of the Council as regard the processing of non-compliant raw milk in certain milk-processing establishments in Bulgaria**

(notified under document C(2011) 9568)

(Text with EEA relevance)

(2011/899/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin <sup>(1)</sup> and in particular Article 9 thereof,

Whereas:

- (1) Regulation (EC) No 853/2004 lays down specific rules on the hygiene of food of animal origin for food business operators. Those rules include hygiene requirements for raw milk and dairy products.
- (2) Commission Decision 2009/861/EC <sup>(2)</sup> provides for certain derogations from the requirements set out in subchapters II and III of Chapter I of Section IX of Annex III to Regulation (EC) No 853/2004 for the milk-processing establishments in Bulgaria listed in that Decision. That Decision applies until 31 December 2011.
- (3) Accordingly, certain milk-processing establishments listed in Annex I to Decision 2009/861/EC may, by way of derogation from the relevant provisions of Regulation (EC) No 853/2004, process compliant and non-compliant milk provided that the processing of compliant and non-compliant milk is carried out on separate production lines. In addition, certain milk-processing establishments listed in Annex II to that Decision may process non-compliant milk without separate production lines.
- (4) Bulgaria has informed the Commission that, since the entry into force of Decision 2009/861/EC, the proportion of raw milk that complies with the requirements of Regulation (EC) No 853/2004, delivered to milk-processing establishments in that Member State, has considerably increased. Bulgaria has also established an action plan aimed at covering the entire production chain of milk in that Member State ensuring compliance with the EU rules.

- (5) However, according with the report submitted by Bulgaria on the basis of Article 5 of Decision 2009/861/EC and on the information provided by Bulgarian authorities during the Standing Committee of Food Chain and Animal Health of 17 October 2011, the situation of the milk sector in Bulgaria is still not in conformity with the requirements laid down in Regulation (EC) No 853/2004.
- (6) Taking into account the current situation, and in order to avoid frustrating the efforts made by the Bulgarian authorities, it is appropriate to extend the application of the measures provided for in Decision 2009/861/EC.
- (7) Bulgaria should continue the process of bringing the raw milk processed by the establishments listed in the Annexes to Decision 2009/861/EC, in compliance with the requirements laid down in Regulation (EC) No 853/2004.
- (8) In particular, Bulgaria should continue to monitor the situation and submit to the Commission regular reports on progress towards full compliance with those requirements. Based on the conclusions of those reports, appropriate measures should be taken.
- (9) Decision 2009/861/EC should therefore be amended accordingly.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

*Article 1*

Decision 2009/861/EC is amended as follows:

1. in Article 2, the date '31 December 2011' is replaced by '31 December 2013';
2. in Article 3, the date '31 December 2011' is replaced by '31 December 2013';

<sup>(1)</sup> OJ L 139, 30.4.2004, p. 55.

<sup>(2)</sup> OJ L 314, 1.12.2009, p. 83.

3. Article 5 is replaced by the following:

*Article 5*

1. Bulgaria shall submit annual reports to the Commission on progress made in bringing the following in compliance with Regulation (EC) No 853/2004:

- (a) production holdings producing non-compliant milk;
- (b) the system for collecting and transporting non-compliant milk.

The first annual report shall be submitted to the Commission by 31 December 2012, at the latest, and the second annual report by 31 October 2013, at the latest.

The reports shall be submitted in the form set out in Annex III.

2. The Commission shall closely monitor the progress in bringing the raw milk processed by the establishments listed in Annexes I and II in compliance with the requirements laid down in Regulation (EC) No 853/2004.

If, on the basis of the reports submitted by Bulgaria, the Commission considers that compliance is not likely to be achieved by 31 December 2013, it shall propose appropriate measures to remedy the situation.;

4. in Article 6, the date '31 December 2011' is replaced by '31 December 2013';

5. Annexes I and II are replaced by the text in the Annex to this Decision.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 21 December 2011.

*For the Commission*  
John DALLI  
*Member of the Commission*

## ANNEX

## ‘ANNEX I

**List of milk establishments permitted to process compliant and non-compliant milk as referred to in Article 2**

No	Veterinary No	Name of establishment	Town/street or village/region
1	BG 0412010	“Bi Si Si Handel” OOD	gr. Elena ul. “Treti mart” 19
2	BG 0612027	“Mlechen ray – 2” EOOD	gr. Vratsa kv. “Bistrets”
3	BG 0612043	ET “Zorov- 91 -Dimitar Zorov”	gr. Vratsa Mestnost “Parshevitsa”
4	BG 2012020	“Yotovi” OOD	gr. Sliven kv. “Rechitsa”
5	BG 2512020	“Mizia-Milk” OOD	gr. Targovishte Industrialna zona
6	BG 2112001	“Rodopeya – Belev” EOOD	gr. Smolyan, Ul. “Trakya” 20
7	BG 1212001	“S i S – 7” EOOD	gr. Montana “Vrachansko shose” 1
8	BG 2812003	“Balgarski yogurt” OOD	s. Veselinovo, obl. Yambolska

## ANNEX II

**List of milk-processing establishments permitted to process non-compliant milk as referred to as referred to in Article 3**

No	Veterinary No	Name establishment	Town/street or village/region
1	BG 2412037	"Stelimeks" EOOD	s. Asen
2	0912015	"Anmar" OOD	s. Padina obsht. Ardino
3	0912016	OOD "Persenski"	s. Zhaltusha obsht. Ardino
4	1012014	ET "Georgi Gushterov DR"	s. Yahinovo
5	1012018	"Evro miyt end milk" EOOD	gr. Kocherinovo obsht. Kocherinovo
6	1112004	"Matev-Mlekoprodukt" OOD	s. Goran
7	1112017	ET "Rima-Rumen Borisov"	s. Vrabevo
8	1312023	"Inter-D" OOD	s. Kozarsko
9	1612049	"Alpina -Milk" EOOD	s. Zhelyazno
10	1612064	OOD "Ikay"	s. Zhitnitsa obsht. Kaloyanovo
11	2112008	MK "Rodopa milk"	s. Smilyan obsht. Smolyan
12	2412039	"Penchev" EOOD	gr. Chirpan ul. "Septemvriytsi" 58
13	2512021	"Keya-Komers-03" EOOD	s. Svetlen
14	0112014	ET "Veles-Kostadin Velev"	gr. Razlog ul. "Golak" 14
15	2312041	"Danim-D.Stoyanov" EOOD	gr. Elin Pelin m-st Mansarovo
16	2712010	"Kamadzhiev-milk" EOOD	s. Kriva reka obsht. N.Kozlevo
17	0712001	"Ben Invest" OOD	s. Kostenkovtsi obsht. Gabrovo
18	1512012	ET "Ahmed Tatarla"	s. Dragash voyvoda, obsht. Nikopol
19	2212027	"Ekobalkan" OOD	gr. Sofia bul "Evropa" 138
20	2312030	ET "Favorit- D.Grigorov"	s. Aldomirovtsi
21	2312031	ET "Belite kamani"	s. Dragotintsi
22	BG 1512033	ET "Voynov-Ventsislav Hristakiev"	s. Milkovitsa obsht. Gulyantsi
23	BG 1512029	"Lavena" OOD	s. Dolni Dębnik obl. Pleven

No	Veterinary No	Name establishment	Town/street or village/region
24	BG 1612028	ET "Slavka Todorova"	s. Trud obsht. Maritsa
25	BG 1612051	ET "Radev-Radko Radev"	s. Kurtovo Konare obl. Plovdiv
26	BG 1612066	"Lakti ko" OOD	s. Bogdanitza
27	BG 2112029	ET "Karamfil Kasakliev"	gr. Dospat
28	BG 0912004	"Rodopchanka" OOD	s. Byal izvor obsht. Ardino
29	0112003	ET "Vekir"	s. Godlevo
30	0112013	ET "Ivan Kondev"	gr. Razlog Stopanski dvor
31	0212037	"Megakomers" OOD	s. Lyulyakovo obsht. Ruen
32	0512003	SD "LAF-Velizarov i sie"	s. Dabravka obsht. Belogradchik
33	0612035	OOD "Nivego"	s. Chiren
34	0612041	ET "Ekoprodukt-Megiya- Bogorodka Dobrilova"	gr. Vratsa ul. "Ilinden" 3
35	0612042	ET "Mlechen puls – 95 – Tsvetelina Tomova"	gr. Krivodol ul. "Vasil Levski"
36	1012008	"Kentavar" OOD	s. Konyavo obsht. Kyustendil
37	1212022	"Milkkomm" EOOD	gr. Lom ul. "Al.Stamboliyski" 149
38	1212031	"ADL" OOD	s. Vladimirovo obsht. Boychinovtsi
39	1512006	"Mandra" OOD	s. Obnova obsht. Levski
40	1512008	ET "Petar Tonovski-Viola"	gr. Koynare ul. "Hr.Botev" 14
41	1512010	ET "Militsa Lazarova-90"	gr. Slavyanovo, ul. "Asen Zlatarev" 2
42	1612024	SD "Kostovi – EMK"	gr. Saedinenie ul. "L.Karavelov" 5
43	1612043	ET "Dimitar Bikov"	s. Karnare obsht. "Sopot"
44	1712046	ET "Stem-Tezdzhan Ali"	gr. Razgrad ul. "Knyaz Boris" 23
45	2012012	ET "Olimp-P.Gurtsov"	gr. Sliven m-t "Matsulka"
46	2112003	"Milk- inzhenering" OOD	gr. Smolyan ul. "Chervena skala" 21
47	2112027	"Keri" OOD	s. Borino, obsht. Borino

No	Veterinary No	Name establishment	Town/street or village/region
48	2312023	"Mogila" OOD	gr. Godech, ul. "Ruse" 4
49	2512018	"Biomak" EOOD	gr. Omurtag ul. "Rodopi" 2
50	2712013	"Ekselans" OOD	s. Osmar, obsht. V. Preslav
51	2812018	ET "Bulmilk-Nikolay Nikolov"	s. General Inzovo, obl. Yambolska
52	2812010	ET "Mladost-2-Yanko Yanev"	gr. Yambol, ul. "Yambolen" 13
53	BG 1012020	ET "Petar Mitov-Universal"	s. Gorna Grashtitsa obsht. Kyustendil
54	BG 1112016	Mandra "IPZHZ"	gr. Troyan ul. "V. Levski" 281
55	BG 1712042	ET "Madar"	s. Terter
56	BG 2612042	"Bulmilk" OOD	s. Konush obl. Haskovska
57	BG 0912011	ET "Alada-Mohamed Banashak"	s. Byal izvor obsht. Ardino
58	1112026	"Ablamilk" EOOD	gr. Lukovit ul. "Yordan Yovkov" 13
59	1312005	"Ravnogor" OOD	s. Ravnogor
60	1712010	"Bulagrotreyd-chastna kompaniya" EOOD	s. Yuper Industrialen kvartal
61	1712013	ET "Deniz"	s. Ezerche
62	2012011	ET "Ivan Gardev 52"	gr. Kermen ul. "Hadzhi Dimitar" 2
63	2012024	ET "Denyo Kalchev 53"	gr. Sliven ul. "Samuilovsko shose" 17
64	2112015	OOD "Rozhen Milk"	s. Davidkovo, obsht. Banite
65	2112026	ET "Vladimir Karamitev"	s. Varbina obsht. Madan
66	2312007	ET "Agropromilk"	gr. Ihtiman ul. "P.Slaveikov" 19
67	BG 1812008	"Vesi" OOD	s. Novo selo
68	BG 2512003	"Si Vi Es" OOD	gr. Omurtag Promishlena zona
69	BG 2612034	ET "Elikzir-Petko Petev"	s. Gorski izvor
70	BG 1812003	"Sirma Prista" AD	gr. Ruse bul. "3-ti mart" 51
71	BG 2512001	"Mladost -2002" OOD	gr. Targovishte bul. "29-ti yanuari" 7

No	Veterinary No	Name establishment	Town/street or village/region
72	0812030	"FAMA" AD	gr. Dobrich bul. "Dobrudzha" 2
73	0912003	"Koveg-mlechni produkti" OOD	gr. Kardzhali Promishlena zona
74	1412015	ET "Boycho Videnov – Elbokada 2000"	s. Stefanovo obsht. Radomir
75	1712017	"Diva 02" OOD	gr. Ispereh ul. "An.Kanchev"
76	1712037	ET "Ali Isliamov"	s. Yasenovets
77	1712043	"Maxima milk" OOD	s. Samuil
78	1812005	"DAV – Viktor Simonov" EOOD	gr. Vetovo ul. "Han Kubrat" 52
79	2012010	"Saray" OOD	s. Mokren
80	2012032	"Kiveks" OOD	s.Kovachite
81	2012036	"Minchevi" OOD	s. Korten
82	2212009	"Serdika -94" OOD	gr. Sofia kv. Zheleznitza
83	2312028	ET "Sisi Lyubomir Semkov"	s. Anton
84	2312033	"Balkan spetsial" OOD	s. Gorna Malina
85	2312039	EOOD "Laktoni"	s. Ravno pole, obl. Sofiyska
86	2412040	"Inikom" OOD	gr. Galabovo ul. "G.S.Rakovski" 11
87	2512011	ET "Sevi 2000- Sevie Ibryamova"	s. Krepcha obsht. Opaka
88	2612015	ET "Detelina 39"	s. Brod
89	2812002	"Arachievi" OOD	s. Kirilovo, obl. "Yambolska"
90	BG 1612021	ET "Deni-Denislav Dimitrov-Ilias Islamov"	s. Briagovo obsht. Gulyantsi
91	BG 2012019	"Hemus-Milk komers" OOD	gr. Sliven Promishlena zona Zapad
92	2012008	"Raftis" EOOD	s. Byala
93	2112023	ET "Iliyan Isakov"	s. Trigrad obsht. Devin
94	2312020	"MAH 2003" EOOD	gr. Etropole bul. "Al. Stamboliyski" 21
95	2712005	"Nadezhda" OOD	s. Kliment'