

**Changes to legislation:** There are outstanding changes not yet made to Commission Regulation (EEC) No 2568/91. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## [<sup>F1</sup>ANNEX Ia

### SAMPLING OF OLIVE OIL OR OLIVE-POMACE OIL DELIVERED IN IMMEDIATE PACKAGING

#### Textual Amendments

- F1** Substituted by [Commission Implementing Regulation \(EU\) No 1348/2013 of 16 December 2013 amending Regulation \(EEC\) No 2568/91 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis.](#)

This method of sampling is applied to batches of olive oil or olive-pomace oil put up in immediate packaging. Different sampling methods apply, depending on whether the immediate packaging exceeds 5 litres or not.

‘Batch’ shall mean a set of sales units which are produced, manufactured and packed in circumstances such that the oil contained in each sales unit is considered to be homogenous in terms of all analytical characteristics. The individuation of a batch must be done in accordance with Directive 2011/91/EU of the European Parliament and of the Council<sup>(1)</sup>.

‘Increment’ shall mean the quantity of oil contained in an immediate package and taken from a random point of the batch.

#### 1. CONTENT OF PRIMARY SAMPLE

##### 1.1. Immediate packaging not exceeding 5 litres

‘Primary Sample’ for immediate packaging not exceeding 5 litres shall mean the number of increments taken from a batch and in agreement with Table 1.

TABLE 1

#### Primary sample minimum size must comprise the following

Where the immediate packaging has a capacity of	The primary sample must comprise the oil from
(a) 1 litre or more	(a) 1 immediate pack;
(b) less than 1 litre	(b) the minimum number of packs with a total capacity of at least 1,0 litre

The number of packs referred to in Table 1, which shall constitute a primary sample, can be increased by each Member State, according to their own needs (for example organoleptic assessment by a different laboratory from that which performed the chemical analyses, counter-analysis, etc.).

##### 1.2. Immediate packaging exceeding 5 litres

‘Primary Sample’ for immediate packaging exceeding 5 litres shall mean a representative part of the total increments, obtained by a process of reduction and in agreement with Table 2. The primary sample must be composed of various examples.

‘Example’ of a primary sample shall mean each of the packages making up the primary sample.

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TABLE 2

**Minimum number of increments to be selected**

Number of packages in the lot	Minimum number of increments to be selected
Up to 10	1
From ... 11 to 150	2
From ... 151 to 500	3
From ... 501 to 1 500	4
From ... 1 501 to 2 500	5
> 2 500 per 1 000 packages	1 extra increment

In order to reduce the volume of the sampling immediate packs, the content of the sampling increments is homogenised for the preparation of the primary sample. The portions of the different increments are poured into a common container for homogenisation by stirring, so that it will be best protected from air.

The content of the primary sample must be poured into a series of packages of the minimum capacity of 1,0 liter, each one of which constitutes an example of the primary sample.

The number of primary samples can be increased by each Member State, according to their own necessity (for example organoleptic assessment by a different laboratory from the one that performed the chemical analyses, counter-analysis, etc).

Each package must be filled in a way to minimise the air layer on top and then suitably closed and sealed to ensure the product is tamper-proof.

These examples must be labeled to ensure correct identification.

## 2. ANALYSES AND RESULTS

[<sup>F2</sup>2.1. Each primary sample must be subdivided into laboratory samples, in accordance with point 2.5 of standard EN ISO 5555, and analysed according to the order shown in the flowchart set out in Annex Ib or in any other random order.]

### Textual Amendments

**F2** Substituted by [Commission Implementing Regulation \(EU\) 2019/1604 of 27 September 2019 amending Regulation \(EEC\) No 2568/91 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis.](#)

2.2. Where all the results of the analyses comply with the characteristics of the category of oil declared, the whole batch is to be declared to comply.

If a single result of the analyses does not comply with the characteristics of the category of oil declared, the whole batch is to be declared non compliant.

## 3. VERIFICATION OF THE CATEGORY OF BATCH

3.1. In order to verify the batch category, the competent authority may increase the number of primary samples taken at different points of the batch according to the following table:

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Table 3

**Number of primary samples determined by the size of batch**

<b>Size of batch (litres)</b>	<b>Number of primary samples</b>
Less than 7 500	2
From 7 500 to less than 25 000	3
From 25 000 to less than 75 000	4
From 75 000 to less than 125 000	5
Equal to and more than 125 000	6 + 1 each 50 000 litres more

Each increment constituting a primary sample must be taken from a continuous place in the batch; it is necessary to take note of the location of each primary sample and to identify it unambiguously.

The formation of each primary sample must be carried out according to the procedures referred to in points 1.1 and 1.2.

Each primary sample is then subjected to the analyses referred to in Article 2(1).

- 3.2. When one of the results of the analyses referred to in Article 2(1) of at least one primary sample does not comply with the characteristics of the declared category of oil, the whole sampling batch shall be declared non compliant.]

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- (1) [<sup>F1</sup>Directive 2011/91/EU of the European Parliament and of the Council of 13 December 2011 on indications or marks identifying the lot to which a foodstuff belongs (OJ L 334, 16.12.2011, p. 1).]

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**Changes and effects yet to be applied to the whole legislation item and associated provisions**

- Signature words omitted by [S.I. 2019/1422 reg. 6\(10\)](#)
- Art. 1(8) inserted by [S.I. 2019/1422 reg. 6\(2\)\(b\)](#)
- Art. 1(8)(a)(ii)(bb) omitted in earlier amending provision S.I. 2019/1422, reg. 6(2)(b) by [S.I. 2020/1453 reg. 14\(16\)\(a\)\(i\)](#)
- Art. 1(8)(b) words substituted in earlier amending provision S.I. 2019/1422, reg. 6(2)(b) by [S.I. 2020/1453 reg. 14\(16\)\(a\)\(ii\)](#)
- Art. 1(8)(c)(ii) omitted in earlier amending provision S.I. 2019/1422, reg. 6(2)(b) by [S.I. 2020/1453 reg. 14\(16\)\(a\)\(iii\)](#)
- Annex 1a para. 1.1 words substituted by [S.I. 2019/1422 reg. 6\(11\)\(a\)](#)
- Annex 1a para. 1.2 words substituted by [S.I. 2019/1422 reg. 6\(11\)\(b\)](#)
- Art. 2a(3)(e) words substituted by [S.I. 2019/1422 reg. 6\(4\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Reg. 6(4)(c) substituted immediately before IP completion day by S.I. 2020/1453, regs. 1(2)(b), 14(16)(c)(ii))
- Art. 2a(3)(e) words substituted by S.I. 2019/1422, reg. 6(4)(c) (as substituted) by [S.I. 2020/1453 reg. 14\(16\)\(c\)\(ii\)](#)
- Art. 3 words substituted by [S.I. 2019/1422 reg. 6\(5\)\(a\)](#)
- Art. 3 words substituted by [S.I. 2019/1422 reg. 6\(5\)\(b\)](#)