

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

[^{F1}Article 1

- 1 Oils, the characteristics of which comply with those set out in points 1 and 2 of Annex I to this Regulation, shall be deemed to be virgin olive oils within the meaning of point 1(a) and (b) of the Annex to Regulation No 136/66/EEC.
- 2 Oil, the characteristics of which comply with those set out in point 3 of Annex I to this Regulation, shall be deemed to be lampante olive oil within the meaning of point 1(c) of the Annex to Regulation No 136/66/EEC.
- 3 Oil, the characteristics of which comply with those set out in point 4 of Annex I to this Regulation, shall be deemed to be refined olive oil within the meaning of point 2 of the Annex to Regulation No 136/66/EEC.
- 4 Oil, the characteristics of which comply with those set out in point 5 of Annex I to this Regulation, shall be deemed to be olive oil composed of refined olive oils and virgin olive oils within the meaning of point 3 of the Annex to Regulation No 136/66/EEC.
- 5 Oil, the characteristics of which comply with those set out in point 6 of Annex I to this Regulation, shall be deemed to be crude olive-pomace oil within the meaning of point 4 of the Annex to Regulation No 136/66/EEC.
- 6 Oil, the characteristics of which comply with those set out in point 7 of Annex I to this Regulation, shall be deemed to be refined olive-pomace oil within the meaning of point 5 of the Annex to Regulation No 136/66/EEC.
- 7 Oil, the characteristics of which comply with those set out in point 8 of Annex I to this Regulation, shall be deemed to be olive-pomace oil within the meaning of point 6 of the Annex to Regulation No 136/66/EEC.]

Textual Amendments

- F1** Substituted by [Commission Regulation \(EC\) No 1989/2003 of 6 November 2003 amending Regulation \(EEC\) No 2568/91 on the characteristics of olive oil and olive-pomace oil and on the relevant methods of analysis.](#)

[^{F2}Article 2

- 1 The characteristics of oils laid down in Annex I shall be determined in accordance with the following methods of analysis:
 - a for the determination of the free fatty acids, expressed as the percentage of oleic acid, the method set out in Annex II;
 - b for the determination of the peroxide index, the method set out in Annex III;
 - c for determination of the wax content, the method set out in Annex IV;
 - d for the determination of the composition and content of sterols and triterpene dialcohols by capillary-column gas chromatography, the method set out in Annex V;
 - e for the determination of the percentage of 2- glyceryl monopalmitate, the method set out in Annex VII;
 - f for spectrophotometric analysis, the method set out in Annex IX;

Status: Point in time view as at 01/01/2015.

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)

- g for the determination of the fatty acid composition, the method set out in Annex X A and X B;
- h for the determination of the volatile halogenated solvents, the method set out in Annex XI;
- i for the evaluation of the organoleptic characteristics of virgin olive oil, the method set out in Annex XII;
- j for the determination of stigmastadienes, the method set out in Annex XVII;
- k for determining the content of triglycerides with ECN42, the method set out in Annex XVIII;
- l for the determination of the aliphatic alcohol content, the method set out in Annex XIX;
- m for the determination of the content of waxes, fatty acid methyl esters and fatty acid ethyl esters, the method set out in Annex XX.

In order to detect the presence of extraneous vegetable oils in olive oils, the method of analysis set out in Annex XXa shall be applied.

2 Verification by national authorities or their representatives of the organoleptic characteristics of virgin oils shall be effected by tasting panels approved by the Member States.

The organoleptic characteristics of an oil as referred to in the first subparagraph shall be deemed consonant with the category declared if a panel approved by the Member State confirms the grading.

Should the panel not confirm the category declared as regards the organoleptic characteristics, at the interested party's request, the national authorities or their representatives shall have carried out without delay two counter-assessments by other approved panels, at least one by a panel approved by the producer Member State concerned. The characteristics concerned shall be deemed consonant with the characteristics declared if at least two of the counter-assessments confirm the declared grade. If that is not the case, the interested party shall be responsible for the cost of the counter-assessments.

3 When the national authorities or their representatives verify the characteristics of the oil as provided for in paragraph 1, samples shall be taken in accordance with international standards EN ISO 661 on the preparation of test samples and EN ISO 5555 on sampling. However, notwithstanding point 6.8 of standard EN ISO 5555, in case of batches of such oils in immediate packaging, the sample shall be taken in accordance with Annex Ia to this Regulation. In case of bulk oils for which the sampling cannot be performed according to EN ISO 5555, the sampling shall be performed in accordance with instructions provided by the competent authority of the Member State.

Without prejudice to standard EN ISO 5555 and Chapter 6 of standard EN ISO 661, the samples taken shall be put in a dark place away from strong heat as quickly as possible and sent to the laboratory for analysis no later than the fifth working day after they are taken, otherwise the samples shall be kept in such a way that they will not be degraded or damaged during transport or storage before being sent to the laboratory.

4 For the purposes of the verification provided for in paragraph 3, the analyses referred to in Annexes II, III, IX, XII and XX and, where applicable, any counter-analyses required under national law, shall be carried out before the minimum durability date in case of packaged products. In case of sampling of bulk oils, those analyses shall be carried out no later than the sixth month after the month in which the sample was taken.

No time limit shall apply to the other analyses provided for in this Regulation.

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Unless the sample was taken less than two months before the minimum durability date, if the results of the analyses do not match the characteristics of the category of olive oil or olive-pomace oil declared, the party concerned shall be notified no later than one month before the end of the period laid down in the first subparagraph.

5 For the purpose of determining the characteristics of olive oils by the methods provided for in the first subparagraph of paragraph 1, the analysis results shall be directly compared with the limits laid down in this Regulation.]

Textual Amendments

- F2** 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.](#)

[^{F3} Article 2a

1 For the purpose of this Article, ‘olive oil marketed’ means total quantity of olive oil and olive pomace oil of a relevant Member State that is consumed in that Member State or exported from that Member State.

2 Member States shall ensure that conformity checks are carried out selectively, based on a risk analysis, and with appropriate frequency, so as to ensure that the olive oil marketed is consistent with the category declared.

3 The criteria to assess the risk may include:

- a the category of oil, the period of production, the price of oils in relation to other vegetable oils, the blending and packing operations, the storage facilities and conditions, the country of origin, the country of destination, the means of transport or the volume of the lot;
- b the position of the operators in the marketing chain, the volume and/or value marketed by them, the range of oil categories they market, the type of business carried out such as milling, storage, refining, blending, packaging or retail sale;
- c findings made during previous checks including the number and type of defects found, the usual quality of oils marketed, the performance of technical equipment used;
- d the reliability of operators’ quality assurance systems or self-checking systems related to the conformity to marketing standards;
- e the place where the check is carried out, in particular if it is the first point of entry into the Union, the last point of exit from the Union or the place where the oils are produced, packaged, loaded or sold to the final consumer;
- f any other information that might indicate a risk of non-compliance.

4 Member States shall lay down in advance:

- a the criteria for assessing the risk of non-conformity of lots;
- b on the basis of a risk analysis for each risk category, the minimum number of operators or lots and/or quantities which will be subject to a conformity check.

At least one conformity check per thousand tonnes of olive oil marketed in the Member State shall be carried out per year.

5 Member States shall verify compliance by:

- a carrying out, in any order, the analyses set out in Annex I; or

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- b following the order set out in Annex Ib on the decision tree until one of the decisions appearing in the decision tree is reached.]

Textual Amendments

- F3** Substituted by [Commission Implementing Regulation \(EU\) No 299/2013 of 26 March 2013 amending Regulation \(EEC\) No 2568/91 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis.](#)

^{F4}Article 3

Textual Amendments

- F4** Deleted by [Commission Regulation \(EC\) No 796/2002 of 6 May 2002 amending Regulation \(EEC\) No 2568/91 on the characteristics of olive oil and olive-pomace oil and on the relevant methods of analysis and the additional notes in the Annex to Council Regulation \(EEC\) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff.](#)

^{F4}Article 3a

Textual Amendments

- F4** Deleted by [Commission Regulation \(EC\) No 796/2002 of 6 May 2002 amending Regulation \(EEC\) No 2568/91 on the characteristics of olive oil and olive-pomace oil and on the relevant methods of analysis and the additional notes in the Annex to Council Regulation \(EEC\) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff.](#)

^{F3}Article 3

Where it is found that an oil does not correspond to its category description, the Member State concerned shall, without prejudice to any other penalties, apply effective, proportionate and dissuasive penalties to be determined in the light of the seriousness of the irregularity detected.

Where checks reveal significant irregularities, Member States shall increase the frequency of checks in relation to marketing stage, oil category, origin, or other criteria.]

Textual Amendments

- F3** Substituted by [Commission Implementing Regulation \(EU\) No 299/2013 of 26 March 2013 amending Regulation \(EEC\) No 2568/91 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis.](#)

^{F5}Article 4

^{F61} The Member States may approve assessment panels so that national authorities or their representatives can assess and verify organoleptic characteristics.

The terms of approval shall be set by Member States and ensure that:

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- the requirements of Annex XII.4 are met,
- the panel head is given training recognised for this purpose by the Member State,
- continued approval depends on performance in annual checks arranged by the Member State.

Member States shall notify to the Commission a list of approved panels and the action taken under this paragraph.]

2 Where Member States encounter difficulties in setting up tasting panels in their territory, they may call on a tasting panel approved in another Member State.

3 Each Member State draw up a list of tasting panels set up by professional or inter-branch organizations in accordance with the conditions laid down in paragraph 1 and shall ensure that those conditions are complied with.]

Textual Amendments

- F5** Substituted by [Commission Regulation \(EEC\) No 3288/92 of 12 November 1992 amending Regulation \(EEC\) No 2568/91 on the characteristics of olive oil and olive-residue oil and of the relevant methods of analysis.](#)
- F6** Substituted by [Commission Regulation \(EC\) No 796/2002 of 6 May 2002 amending Regulation \(EEC\) No 2568/91 on the characteristics of olive oil and olive-pomace oil and on the relevant methods of analysis and the additional notes in the Annex to Council Regulation \(EEC\) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff.](#)

^{F4} Article 5

Textual Amendments

- F4** Deleted by [Commission Regulation \(EC\) No 796/2002 of 6 May 2002 amending Regulation \(EEC\) No 2568/91 on the characteristics of olive oil and olive-pomace oil and on the relevant methods of analysis and the additional notes in the Annex to Council Regulation \(EEC\) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff.](#)

Article 6

1 The oil content of oil cake and other residues resulting from the extraction of olive oil (CN codes 2306 90 11 and 2306 90 19) shall be determined using the method set out in Annex XV.

2 The oil content referred to in paragraph 1 shall be expressed as a percentage of the weight of oil to the weight of dry matter.

^{F1} Article 7

The Community provisions concerning the presence of contaminants shall apply.

As regards halogenated solvents, the limits for all categories of olive oils are as follows:

- maximum content of each halogenated solvent detected: 0,1 mg/kg,
- maximum total content of halogenated solvents detected: 0,2 mg/kg.]

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Textual Amendments

- F1** Substituted by [Commission Regulation \(EC\) No 1989/2003 of 6 November 2003 amending Regulation \(EEC\) No 2568/91 on the characteristics of olive oil and olive-pomace oil and on the relevant methods of analysis.](#)

[^{F7} Article 7a

Natural or legal persons and groups of persons who hold olive oil and olive pomace oil from the extraction at the mill up to the bottling stage included, for whatever professional or commercial purposes, shall be required to keep entry and withdrawal registers for each category of such oils.

Member State shall ensure that the obligation laid down in the first paragraph is duly complied with.]

Textual Amendments

- F7** Inserted by [Commission Implementing Regulation \(EU\) No 299/2013 of 26 March 2013 amending Regulation \(EEC\) No 2568/91 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis.](#)

[^{F3} Article 8

1 Member States shall notify the Commission of the measures implementing this Regulation. They shall inform the Commission of any subsequent amendments.]

^{F32} No later than 31 May of each year, Member States shall transmit to the Commission a report on the implementation of this Regulation during the previous calendar year. The report shall contain at least the results of the conformity checks carried out on olive oils as per the templates set out in Annex XXI.]

^{F33} The notifications referred to in this Regulation shall be made in accordance with Commission Regulation (EC) No 792/2009⁽¹⁾.]

Textual Amendments

- F3** Substituted by [Commission Implementing Regulation \(EU\) No 299/2013 of 26 March 2013 amending Regulation \(EEC\) No 2568/91 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis.](#)

Article 9

Regulation (EEC) No 1058/77 is hereby repealed.

Article 10

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

However, the method set out in Annex XII shall apply from [^{F81} 1 November 1992], *except in so far as operations relating to the intervention system are concerned.*

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[^{F9}That method shall not apply to virgin olive oil prepared for the market prior to 1 November 1992.]

2 This Regulation shall not apply to olive oil and olive-residue oil packaged before the entry into force of this Regulation and marketed up to 31 October 1992.

Textual Amendments

- F8** Substituted by [Commission Regulation \(EEC\) No 3682/91 of 17 December 1991 amending Regulation \(EEC\) No 2568/91 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis.](#)
- F9** Inserted by [Commission Regulation \(EEC\) No 3288/92 of 12 November 1992 amending Regulation \(EEC\) No 2568/91 on the characteristics of olive oil and olive-residue oil and of the relevant methods of analysis.](#)

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

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(1) [^{F3}OJ L 228, 1.9.2009, p. 3.]

Textual Amendments

- F3** Substituted by Commission Implementing Regulation (EU) No 299/2013 of 26 March 2013 amending Regulation (EEC) No 2568/91 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis.

Status:

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