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[1] Text with EEA relevance

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 28/2012

of 11 January 2012

laying down requirements for the certification for imports into and transit through the Union of certain composite products and amending Decision 2007/275/EC and Regulation (EC) No 1162/2009

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries [1], and in particular Article 3(5) thereof;

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption [2], and in particular Article 8(5) thereof,

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 [3], and in particular the first paragraph of Article 9 thereof,

Having regard to Regulation (EC) No 854/2004 of the European Parliament and the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption [4], and in particular the first paragraph of Article 16 thereof,

Having regard to Regulation (EC) No 882/2004 [5] of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules and in particular Article 48(1) and the first subparagraph of Article 63(1) thereof,

Whereas:

(1) Directive 97/78/EC provides that veterinary checks on products from third countries introduced into the Union are to be carried out by Member States in accordance with that Directive and with Regulation (EC) No 882/2004.

(2) Regulation (EC) No 882/2004 lays down general rules for the performance of official controls to verify compliance with rules aiming, in particular, at preventing, eliminating or reducing to acceptable levels risks to humans and animals, either directly or through the environment.

(3) Directive 2002/99/EC lays down the general animal health rules governing all stages of the production, processing and distribution within the Union and the introduction from third countries of products of animal origin and products obtained intended for human consumption.

(4) Regulation (EC) No 853/2004 lays down specific rules on the hygiene of food of animal origin for food business operators. Article 6(4) of that Regulation provides that food business operators importing food containing both products of plant origin and processed products of animal origin (composite products) are to ensure that the processed products of animal origin contained in such food satisfy certain public health requirements laid down therein. In addition, Regulation (EC) No 853/2004 provides that food business operators must be able to demonstrate that they have done so, for example through appropriate documentation or certification.

(5) Regulation (EC) No 853/2004 applies from 1 January 2006. However, the application of a number of measures laid down therein with immediate effect from that date would have presented practical difficulties in certain cases.

[1] OJ L 24, 30.1.1998, p. 9.
[2] OJ L 18, 23.1.2003, p. 11.
[3] OJ L 139, 30.4.2004, p. 55.
[4] OJ L 139, 30.4.2004, p. 206.
[5] OJ L 165, 30.4.2004, p. 1.

(6) Commission Regulation (EC) No 2076/2005 [1] therefore provided that, by way of derogation from Article 6(4) of Regulation (EC) No 853/2004, food business operators importing food containing composite products were to be exempt from the obligation provided for in that Article.

(7) Commission Regulation (EC) No 1162/2009 of 30 November 2009 laying down transitional measures for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council [2] repealed and replaced Regulation (EC) No 2076/2005. Regulation (EC) No 1162/2009 contains the same derogation from Article 6(4) of Regulation (EC) No 853/2004 as did Regulation (EC) No 2076/2005.

(8) In addition, Regulation (EC) No 1162/2009 provides that imports of composite products are to comply with the harmonised Union rules, where applicable, and with the national rules implemented by the Member States in other cases.

(9) Regulation (EC) No 1162/2009 applies until 31 December 2013.

(10) Commission Decision 2007/275/EC of 17 April 2007 concerning lists of animals and products to be subject to controls at border inspection posts under Council Directives 91/496/EEC and 97/78/EC [3] provides that certain composite products are to be subject to veterinary checks, when imported into the Union. Pursuant to that Decision, the composite products subjected to veterinary checks are all those containing processed meat products, those containing half or more of their substance of any one processed product of animal origin other than processed meat products and those containing no processed meat products and less than half of their substance of processed milk product where the final products do not meet certain requirements laid down in Decision 2007/275/EC.

(11) In addition, Decision 2007/275/EC lays down certain certification requirements regarding the composite products subject to veterinary checks. It provides that composite products containing processed meat products are to be accompanied at introduction into the Union by the relevant certificate for meat products laid down in Union legislation. Composite products containing processed milk products, which are to be subjected to veterinary checks, are to be accompanied at introduction into the Union by the relevant certificate laid down in Union legislation. In addition, composite products containing only processed fishery or egg products which are to be subjected to veterinary checks are to be accompanied at introduction into the Union by the relevant certificate laid down in Union legislation or a commercial document where there is no certificate so required.

(12) The composite products subjected to veterinary checks pursuant to Decision 2007/275/EC are, by their very nature, the ones that may present also a higher public health risk. The levels of potential public health risk vary depending on the product of animal origin which is included in the composite product, the percentage in which that product of animal origin is present in the composite product and the treatments applied to it as well as the shelf stability of the composite product.

(13) It is therefore appropriate that the public health requirements laid down in Regulation (EC) No 853/2004 apply to those composite products even before the expiry of the derogation provided for in Regulation (EC) No 1162/2009.

(14) In particular, the certification of compliance with public health requirements as laid down in Regulation (EC) No 853/2004 should be provided for in this Regulation for the importation of the composite products containing processed meat products, of those composite products containing half or more of their substance of milk products or of processed fishery or egg products and of those composite products containing no processed meat products and less than half of their substance of processed milk products where the final products are not shelf-stable at ambient temperature or where they have not clearly undergone in their manufacture a complete cooking or heat treatment process throughout their substance, so that any raw product is not denatured.

(15) As a consequence, the derogation laid down in Regulation (EC) No 1162/2009 should no longer apply for those composite products.

(16) The animal health requirements concerning those composite products are already laid down in Union legislation. Pursuant to those requirements, those composite products should in particular only be imported from approved third countries.

(17) A specific model health certificate attesting that such composite products imported into the Union comply with those public and animal health requirements should be laid down in this Regulation. As a consequence, the certification requirements laid down in Decision 2007/275/EC should no longer apply for those composite products.

(18) For the other composite products containing half or more of their substance of products of animal origin other than milk products or fishery or egg products, the certification requirements laid down in Decision 2007/275/EC should continue to apply. However, for reasons of simplification and clarity of Union legislation,

[1] OJ L 338, 22.12.2005, p. 83.
[2] OJ L 314, 1.12.2009, p. 10.
[3] OJ L 116, 4.5.2007, p. 9.

it is appropriate to include those certification requirements in this Regulation, so that the main rules on the certification of composite products be laid down in only one act.

(19) Decision 2007/275/EC and Regulation (EC) No 1162/2009 should therefore be amended accordingly.

(20) Due to animal health reasons, a certificate and specific conditions for transit via the Union should be provided for. However these conditions should be applicable only to composite products containing processed meat products or processed dairy products.

(21) Specific conditions for transit via the Union of consignments to and from Russia should be provided for, owing to the geographical situation of Kaliningrad, which only concerns Latvia, Lithuania and Poland.

(22) To avoid any disruption of trade, the use of certificates issued in accordance with Decision 2007/275/EC prior to the date of application of this Regulation should be authorised for a transitional period.

(23) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation lays down rules on the certification of consignments of certain composite products introduced into the Union from third countries.

Article 2

Definitions

For the purposes of this Regulation, the definitions in Article 2 of Decision 2007/275/EC shall apply.

Article 3

Imports of certain composite products

1. Consignments of the following composite products introduced into the Union shall come from a third country or part thereof authorised for the introduction into the Union of consignments of the products of animal origin contained in those composite products and the products of animal origin used for the production of such composite products shall originate from establishments in compliance with Article 6.1(b) of Regulation (EC) No 853/2004:

(a) composite products containing processed meat products, as referred to in Article 4(a) of Decision 2007/275/EC;

(b) composite products containing processed milk products and covered by Article 4(b) and (c) of Decision 2007/275/EC;

(c) composite products containing half or more of their substance of processed fishery or egg products and covered by Article 4(b) of Decision 2007/275/EC.

2. Consignments of composite products referred to in paragraph 1 shall be accompanied by a health certificate in accordance with the model health certificate set out in Annex I and comply with the conditions established in such certificates.

3. Consignments of composite products containing half or more of their substance of products of animal origin other than those referred to in paragraph 1 shall come from a third country or part thereof authorised for the introduction into the Union of consignments of the products of animal origin contained in those composite products and shall be accompanied at introduction into the Union by the relevant certificate laid down in Union legislation for those products of animal origin or by a commercial document where there is no certificate so required.

Article 4

Transit and storage of certain composite products

The introduction into the Union of consignments of composite products referred to in Article 3(1)(a) and (b) not intended for importation into the Union but destined for a third country either by immediate transit or after storage in the Union, in accordance with Articles 11, 12 or 13 of Council Directive 97/78/EC, shall only be authorised if the consignments comply with the following conditions:

(a) they come from a third country or part thereof authorised for the introduction into the Union of consignments of the products of animal origin contained in those composite products and comply with the appropriate treatment conditions for such products, as provided for in Commission Decision 2007/777/EC [1] and Commission Regulation (EU) No 605/2010 [2] for the product of animal origin concerned;

(b) they are accompanied by a health certificate drawn up in accordance with the model health certificate set out in Annex II;

(c) they comply with the specific animal health requirements for the importation into the Union of the products of animal origin contained in the composite products concerned, as set out in the animal health attestation in the model health certificate referred to in point (b);

(d) they are certified as acceptable for transit, including for storage as appropriate, on the common veterinary entry document referred to in Article 2(1) of Commission Regulation (EC) No 136/2004 [3], signed by the official veterinarian of the border inspection post of introduction into the Union.

[1] OJ L 312, 30.11.2007, p. 49.
[2] OJ L 175, 10.7.2010, p. 1.
[3] OJ L 21, 28.1.2004, p. 11.

Article 5

Derogation for transit of consignments coming from and destined to Russia

1. By way of derogation from Article 4, the transit by road or by rail through the Union, between designated border inspection posts in Latvia, Lithuania and Poland, listed in Commission Decision 2009/821/EC [1], of consignments of composite products referred to Article 3 coming from and destined to Russia directly or via another third country shall be authorised provided that the following conditions are complied with:

(a) the consignment is sealed with a serially numbered seal at the border inspection post of introduction into the Union by the veterinary services of the competent authority;

(b) the documents accompanying the consignment and referred to in Article 7 of Directive 97/78/EC are stamped 'ONLY FOR TRANSIT TO RUSSIA VIA THE EU' on each page by the official veterinarian of the competent authority responsible for the border inspection post of introduction into the Union;

(c) the procedural requirements provided for in Article 11 of Directive 97/78/EC are complied with;

(d) the consignment is certified as acceptable for transit on the common veterinary entry document by the official veterinarian of the border inspection post of introduction into the Union.

2. Unloading or storage, as defined in Article 12(4) or in Article 13 of Directive 97/78/EC, of such consignments on Union territory shall not be allowed.

3. Regular audits shall be made by the competent authority to ensure that the number of consignments and the quantities of products leaving the Union territory matches the number and quantities entering the Union.

Article 6

Amendment to Decision 2007/275/EC

Article 5 of Decision 2007/275/EC is deleted.

Article 7

Amendment to Regulation (EC) No 1162/2009

In Regulation (EC) No 1162/2009, the first subparagraph of Article 3(2) is replaced by the following:

'2. By way of derogation from Article 6(4) of Regulation (EC) No 853/2004, food business operators importing food containing both products of plant origin and processed products of animal origin, other than those referred to in Article 3(1) of Regulation (EU) No 28/2012 (*), shall be exempt from the obligation provided for in that Article.

(*) OJ L 12, 14.1.2012, p. 1.'

Article 8

Transitional provision

For a transitional period until 30 September 2012, consignments of composite products in respect of which the relevant certificates have been issued in accordance with Article 5 of Decision 2007/275/EC before 1 March 2012 may continue to be introduced into the Union.

Article 9

Entry into force and application

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

It shall apply from 1 March 2012.

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

Done at Brussels, 11 January 2012.

For the Commission
The President
José Manuel BARROSO

[1] OJ L 296, 12.11.2009, p. 1.

ANNEX I

Model Health Certificate for import into the European Union of composite products intended for human consumption

COUNTRY **Veterinary certificate to EU**

Part I: Details of dispatched consignment

I.1. Consignor Name Address Tel.		I.2. Certificate reference No	I.2.a.
		I.3. Central competent authority	
		I.4. Local competent authority	
I.5. Consignee Name Address Postcode Tel.		I.6.	
I.7. Country of origin ISO code	I.8. Region of origin Code	I.9. Country of destination ISO code	I.10.
I.11. Place of origin Name Approval number Address Name Approval number Address Name Approval number Address		I.12.	
I.13. Place of loading		I.14. Date of departure	
I.15. Means of transport Aeroplane ☐ Ship ☐ Railway wagon ☐ Road vehicle ☐ Other ☐ Identification Documentary references		I.16. Entry BIP in EU	
		I.17.	
I.18. Description of commodity		I.19. Commodity code (HS code)	
		I.20. Quantity	
I.21. Temperature of product Ambient ☐ Chilled ☐ Frozen ☐		I.22. Number of packages	
I.23. Seal/Container No		I.24. Type of packaging	
I.25. Commodities certified for: Human consumption ☐			
I.26.		I.27. For import or admission into EU ☐	
I.28. Identification of the commodities Manufacturing plant Number of packages Nature of commodity Net weight Batch number			

COUNTRY **Composite products intended for human consumption**

Part II: Certification

II. **Health information**	II.a. Certificate reference No	II.b.

I, the undersigned official veterinarian/official inspector hereby certify that

II.1 I am aware of the relevant provisions of Regulations (EC) No 178/2002, (EC) No 852/2004 and (EC) No 853/2004, in particular Article 6.1(b) on the origin of the products of animal origin used in the production of the composite products described above and certify that the composite products described above were produced in accordance with those requirements, in particular that they come from (an) establishment(s) implementing a programme based on the HACCP principles in accordance with Regulation (EC) No 852/2004;

II.2 the composite products described above contain:

(1) either [II.2.A **Meat products, treated stomachs, bladders and intestines** (2) in any quantity which meet the animal health requirements in Commission Decision 2007/777/EC and contain the following meat constituents which meet the criteria indicated below:

Species (A)	Treatment (B)	Origin (C)	Approved Establishment(s) (D)

(A) Insert the code for the relevant species of meat product, treated stomachs, bladders and intestines where BOV = domestic bovine animals (*Bos taurus, Bison bison, Bubalus bubalis* and their crossbreds); OVI = domestic sheep (*Ovis aries*) and goats (*Capra hircus*); EQI = domestic equine animals (*Equus caballus, Equus asinus* and their crossbreds), POR = domestic porcine animals (*Sus scrofa*); RM = domestic rabbits, PFG = domestic poultry and farmed feathered game, RUF farmed non-domestic animals other than suidae and solipeds; RUW = wild non-domestic animals other than suidae and solipeds; SUW = wild non-domestic suidae: EQW = wild non-domestic solipeds, WL = wild lagomorphs, WGB = wild game birds.

(B) Insert A, B, C, D, E or F for the required treatment as specified and defined in Parts 2, 3 and 4 of Annex II to Decision 2007/777/EC.

(C) Insert the ISO code of the country of origin of the meat product, treated stomachs, bladders and intestines as listed in Annex II, Part 2 to Decision 2007/777/EC and, in the case of regionalisation by Union legislation for the relevant meat constituents, the region as indicated in Part 1 of Annex II to Decision 2007/777/EC. The country of origin of the meat products must be the same as the country of export in box 1.7.

(D) Insert EU approval number of the establishments of origin of the meat products, treated stomachs, bladders and intestines contained in the composite product.

(E) If containing material from bovine, ovine or caprine animals, the fresh meat and/or intestines used in the preparation of the meat products and/or treated intestines shall be subject to the following conditions depending on the BSE risk category of the country of origin:

(1) (E.1) for imports from a country or a region with a negligible BSE risk as listed in Annex to Commission Decision 2007/453/EC as amended:

(1) the country or region is classified in accordance with Article 5(2) of Regulation (EC) No 999/2001 as a country or region posing a negligible BSE risk;

(2) the animals from which the products of bovine, ovine and caprine animal origin were derived were born, continuously reared and slaughtered in the country with negligible BSE risk and passed ante-mortem and post-mortem inspections;

(1) (3) if in the country or region there have been BSE indigenous cases:

(1) (a) the animals were born after the date from which the ban on the feeding of ruminants with meat-and-bone meal and greaves derived from ruminants had been enforced; or

(1) (b) the products of bovine, ovine and caprine animal origin do not contain and are not derived from specified risk material as defined in Annex V to Regulation (EC) No 999/2001, or mechanically separated meat obtained from bones of bovine, ovine or caprine animals.

(1) (E.2) for imports from a country or a region with a controlled BSE risk as listed in Annex to Commission Decision 2007/453/EC as amended:

(1) the country or region is classified in accordance with Article 5(2) of Regulation (EC) No 999/2001 as a country or region posing a controlled BSE risk;

(2) the animals from which the products of bovine, ovine and caprine animal origin were derived passed ante-mortem and post-mortem inspections;

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II. **Health information**	II.a. Certificate reference No	II.b.

(3) animals from which the products of bovine, ovine and caprine animal origin destined for export were derived have not been slaughtered after stunning by means of gas injected into the cranial cavity or killed by the same method or slaughtered by laceration after stunning of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity;

(1)(3) (4) the products of bovine, ovine and caprine animal origin do not contain and are not derived from specified risk material as defined in Annex V to Regulation (EC) No 999/2001, or mechanically separated meat obtained from bones of bovine, ovine or caprine animals;

(1)(4) (5) in the case of intestines originally sourced from a country or a region with a negligible BSE risk, imports of treated intestines shall be subject to the following conditions:

(a) the country or region is classified in accordance with Article 5(2) of Regulation (EC) No 999/2001 as a country or region posing a controlled BSE risk;

(b) the animals from which the products of bovine, ovine and caprine animal origin were derived were born, continuously reared and slaughtered in the country or region with a negligible BSE risk and passed ante-mortem and post-mortem inspections;

(1) (c) if the intestines are sourced from a country or region where there have been BSE indigenous cases:

(1) (i) the animals were born after the date from which the ban on the feeding of ruminants with meat-and-bone meal and greaves derived from ruminants had been enforced; or

(1) (ii) the products of bovine, ovine and caprine animal origin do not contain and are not derived from specified risk material as defined in Annex V to Regulation (EC) No 999/2001.

(1) (E.3) for imports from a country or a region with an undetermined BSE risk as listed in Annex to Commission Decision 2007/453/EC:

(1) the animals from which the products of bovine, ovine and caprine animal origin were derived have not been fed meat-and-bone meal or greaves derived from ruminants and passed ante-mortem and post-mortem inspections;

(2) the animals from which the products of bovine, ovine and caprine animal origin were derived have not been slaughtered after stunning by means of gas injected into the cranial cavity or killed by the same method or slaughtered by laceration after stunning of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity;

(1)(5) (3) the products of bovine, ovine and caprine animal origin are not derived from:

(i) specified risk material as defined in Annex V to Regulation (EC) No 999/2001;

(ii) nervous and lymphatic tissues exposed during the deboning process;

(iii) mechanically separated meat obtained from bones of bovine, ovine or caprine animals;

(1)(4) (4) in the case of intestines originally sourced from a country or a region with a negligible BSE risk, imports of treated intestines shall be subject to the following conditions:

(a) the country or region is classified in accordance with Article 5(2) of Regulation (EC) No 999/2001 as a country or region posing an undetermined BSE risk;

(b) the animals from which the products of bovine, ovine and caprine animal origin were derived were born, continuously reared and slaughtered in the country or region with a negligible BSE risk and passed ante-mortem and post-mortem inspections;

(1) (c) if the intestines are sourced from a country or region where there have been BSE indigenous cases:

(1) (i) the animals were born after the date from which the ban on the feeding of ruminants with meat-and-bone meal and greaves derived from ruminants had been enforced; or

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II. **Health information**	II.a. Certificate reference No	II.b.

(1) (ii) the products of bovine, ovine and caprine animal origin do not contain and are not derived from specified risk material as defined in Annex V to Regulation (EC) No 999/2001.]

(1) *and/or* [II.2.B **Processed dairy products** (6) in an amount of half or more of the substance of the composite product or not shelf stable dairy products in any quantity that

(a) have been produced in the establishment ..... (approval number of the establishments of origin of the dairy products contained in the composite product authorised at the time of production for export of dairy products to the EU. The country of origin of the dairy products must be the same as the country of export in box 1.7).

The country of origin indicated in box I.7 must be listed in Annex I to Regulation (EU) No 605/2010 and the treatment applied is conform to the treatment provided for in that list for the relevant country.

(b) have been produced from milk obtained from animals:

(i) under the control of the official veterinary service;

(ii) belonging to holdings which were not under restrictions due to foot-and-mouth disease or rinderpest; and

(iii) subject to regular veterinary inspections to ensure that they satisfy the animal health conditions laid down in Chapter I of Section IX of Annex III to Regulation (EC) No 853/2004 and in Directive 2002/99/EC;

(c) are dairy products made from raw milk obtained from

(1) *either* [cows, ewes, goats or buffaloes and prior to import into the territory of the European Union have undergone or been produced from raw milk which has undergone

(1) *either* [a pasteurisation treatment involving a single heat treatment with a heating effect at least equivalent to that achieved by a pasteurisation process of at least 72 °C for at 15 seconds and where applicable, sufficient to ensure a negative reaction to an alkaline phosphatase test applied immediately after the heat treatment;]

(1) *or* [a sterilisation process, to achieve an F_0 value equal to or greater than three;]

(1) *or* [an ultra high temperature (UHT) treatment at not less than 135 °C in combination with a suitable holding time;]

(1) *or* [a high temperature short time pasteurisation treatment (HTST) at 72 °C for 15 seconds, or a treatment with an equivalent pasteurisation effect, applied to milk with a pH lower than 7,0 achieving, where applicable, a negative reaction to a alkaline phosphatase test;]

(1) *or* [a high temperature short time pasteurisation treatment (HTST) at 72 °C for 15 seconds, or a treatment with an equivalent pasteurisation effect, applied twice to milk with a pH equal to or greater than 7,0 achieving, where applicable, a negative reaction to a alkaline phosphatase test, immediately followed by

(1) *either* [lowering the pH below 6 for 1 hour;]

(1) *or* [additional heating equal to or greater than 72 °C, combined with desiccation;]]

(1) *or* [animals other than cows, ewes, goats or buffaloes and prior to import into the territory of the European Union have undergone or been produced from raw milk which has undergone

(1) *either* [a sterilisation process, to achieve an F_0 value equal to or greater than three;]

(1) *or* [an ultra high temperature (UHT) treatment at not less than 135 °C in combination with a suitable holding time;]]

(d) were produced on ..... or between .....

and .....(7).]

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II. **Health information**	II.a. Certificate reference No	II.b.

(1) and/or [II.2.C **Processed fishery products** that originate from the approved establishment No (8) ..... situated in the country (9) .....]

(1) and/or [II.2.D **Processed egg products** that originate from the approved country (9) .....]

Notes

Part I:

— Box reference I.7: insert the ISO code of the country of origin of the composite product containing meat product, treated stomachs, bladders and intestines as listed in Annex II, Part 2 to Decision 2007/777/EC and/or for processed dairy products in Annex I to Commission Regulation (EU) No 605/2010 and/or for processed fishery products in Annex I and II to Commission Decision 2006/766/EC and/or for processed egg products in Annex I Part 1 to Commission Regulation (EC) No 798/2008.

— Box reference I.11: name, address and registration/approval number if available of the establishments of production of the composite product(s). Name of the country of origin which must be the same as the country of origin in box 1.7.

— Box reference I.15: registration number (railway wagons or container and road vehicles), flight number (aircraft) or name (ship). In the case of transport in containers, the total number of containers and their registration number and where there is a serial number of the seal it must be indicated in box I.23. In case of unloading and reloading, the consignor must inform the border inspection post of introduction into the European Union.

— Box reference I.19: use the appropriate Harmonised System (HS) code of the World Customs Organisation: codes of the following headings: 16.01; 16.02; 16.03; 16.04; 16.05; 19.01; 19.02; 19.05; 20.04; 20.05; 21.03; 21.04; 21.05; 21.06.

— Box reference I.20: indicate total gross weight and total net weight.

— Box reference I.23: for containers or boxes, the container number and the seal number (if applicable) must be included.

— Box reference I.28: manufacturing plant: insert the name and approval number if available of the establishments of production of the composite product(s). Nature of commodity: in case of composite products containing meat products, treated stomachs, bladders and intestines indicate 'meat product', 'treated stomachs', 'bladders' or 'intestines'. In case of composite product containing dairy products indicate 'dairy product'. In case of composite product containing processed fishery products specify whether aquaculture or wild origin. In case of composite product containing egg products specify the egg content percentage.

Part II:

(1) Keep as appropriate.

(2) Meat products as laid down in point 7.1 of Annex I to Regulation (EC) No 853/2004 and treated stomachs, bladders and intestines as laid down in point 7.9 of Annex I to Regulation (EC) No 853/2004 that have undergone one of the treatments laid down in Annex II Part 4 to Decision 2007/777/EC.

(3) By way of derogation from point 4, carcasses, half carcasses or half carcasses cut into no more than three wholesale cuts, and quarters containing no specified risk material other than the vertebral column, including dorsal root ganglia, may be imported

When removal of the vertebral column is not required, carcasses or wholesale cuts of carcasses of bovine animals containing vertebral column shall be identified by a blue stripe on the label referred to in Regulation (EC) No 1760/2000.

The number of bovine carcasses or wholesale cuts of carcasses, from which removal of the vertebral column is required as well as the number where removal of the vertebral column is not required shall be added to the document referred to in Article 2(1) of Regulation (EC) No 136/2004 in case of imports.

(4) Only applicable to imports of treated intestines.

(5) By way of derogation from point 3, carcasses, half carcasses or half carcasses cut into no more than three wholesale cuts, and quarters containing no specified risk material other than the vertebral column, including dorsal root ganglia, may be imported.

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II. **Health information**	II.a. Certificate reference No	II.b.

When removal of the vertebral column is not required, carcasses or wholesale cuts of carcasses of bovine animals containing vertebral column shall be identified by a clearly visible blue stripe on the label referred to in Regulation (EC) No 1760/2000.

Specific information on the number of bovine carcasses or wholesale cuts of carcasses, from which removal of the vertebral column is required and from which removal of the vertebral column is not required shall be added to the document referred to in Article 2(1) of Regulation (EC) No 136/2004 in case of imports.

([6]) Raw milk and dairy products means, raw milk and dairy products for human consumption as defined in point 7.2 of Annex I to Regulation (EC) No 853/2004.

([7]) Date or dates of production. Imports of raw milk and dairy products shall not be allowed when obtained either prior to the date of authorisation for exportation to the European Union of the third country or part thereof mentioned under I.7 and I.8, or during a period where restrictive measures have been adopted by the European Union against imports of raw milk and dairy products from this third country or part thereof.

([8]) Number of the fishery product establishment authorised to export to the EU.

([9]) Country of origin authorised to export to the EU.

([10]) In case of composite products containing only egg or fishery products the signature of an official Inspector can be accepted.

— The colour of the signature shall be different to that of the printing. The same rule applies to stamps other than those embossed or watermark.

Official veterinarian/Official inspector ([10])

Name (in capital letters): Qualification and title:

Date: Signature:

Stamp:

ANNEX II

Model Health Certificate for transit through or storage in the European Union of composite products intended for human consumption

COUNTRY **Veterinary certificate to EU**

Part I: Details of dispatched consignment

I.1. Consignor Name Address Tel.		I.2. Certificate reference No	I.2.a.
		I.3. Central competent authority	
		I.4. Local competent authority	
I.5. Consignee Name Address Postcode Tel.		I.6. Person responsible for the load in EU Name Address Postcode Tel.	
I.7. Country of origin ISO code	I.8. Region of origin Code	I.9. Country of destination ISO code	I.10.
I.11. Place of origin Name Approval number Address Name Approval number Address Name Approval number Address		I.12. Place of destination Custom warehouse ☐ Ship supplier ☐ Name Approval number Address Postcode	
I.13. Place of loading		I.14. Date of departure	
I.15. Means of transport Aeroplane ☐ Ship ☐ Railway wagon ☐ Road vehicle ☐ Other ☐ Identification Documentation references		I.16. Entry BIP in EU	
		I.17.	
I.18. Description of commodity		I.19. Commodity code (HS code)	
		I.20. Quantity	
I.21. Temperature of product Ambient ☐ Chilled ☐ Frozen ☐		I.22. Number of packages	
I.23. Seal/Container No		I.24. Type of packaging	
I.25. Commodities certified for: Human consumption ☐			
I.26. For transit through EU to third country ☐ Third country ISO code		I.27.	
I.28. Identification of the commodities Manufacturing plant Number of packages Nature of commodity Net weight Batch number			

COUNTRY

Composite products intended for human consumption
Transit/Storage

II. Health information	II.a. Certificate reference number	II.b.

Part II: Certification

I, the undersigned official veterinarian/official inspector hereby certify that the composite products described above contain:

([1]) *either* [II.1.A **Meat products, treated stomachs, bladders and intestines** ([2]) in any quantity and such meat products, treated stomachs, bladders and intestines have been produced according to Commission Decision 2007/777/EC and contain the following meat constituents and meet the criteria indicated below:

Species (A) Treatment (B) Origin (C)

(A) Insert the code for the relevant species of meat product, treated stomachs, bladders and intestines where BOV = domestic bovine animals (*Bos taurus, Bison bison, Bubalus bubalis* and their crossbreds); OVI = domestic sheep (*Ovis aries*) and goats (*Capra hircus*); EQI = domestic equine animals (*Equus caballus, Equus asinus* and their crossbreds), POR = domestic porcine animals (*Sus scrofa*); RM = domestic rabbits, PFG = domestic poultry and farmed feathered game, RUF farmed non-domestic animals other than suidae and solipeds; RUW = wild non-domestic animals other than suidae and solipeds; SUW = wild non-domestic suidae: EQW = wild non-domestic solipeds, WL = wild lagomorphs, WGB = wild game birds.

(B) Insert A, B, C, D, E or F for the required treatment as specified and defined in Parts 2, 3 and 4 of Annex II to Decision 2007/777/EC.

(C) Insert the ISO code of the country of origin of the meat product, treated stomachs, bladders and intestines as listed in Annex II, Part 2 to Decision 2007/777/EC and, in the case of regionalisation by Union legislation for the relevant meat constituents, the region as indicated in Part 1 of Annex II to Decision 2007/777/EC. The country of origin of the meat products must be the same as the country of export in box 1.7.]

([1]) *and/or* [II.1.B **Processed dairy products** ([3]) in an amount of half or more of the substance of the composite product or not shelf stable dairy products in any quantity that

(a) originate in the country indicated in box I.7 which is listed in Annex I to Regulation (EU) No 605/2010 and the treatment applied is conform to the treatment provided for in that list for the relevant country. The country of origin of the dairy products must be the same as the country of export in box 1.7;

(b) have been produced from milk obtained from animals:

(i) under the control of the official veterinary service;

(ii) belonging to holdings which were not under restrictions due to foot-and-mouth disease or rinderpest; and

(iii) subject to regular veterinary inspections to ensure that they satisfy the animal health conditions laid down in Chapter I of Section IX of Annex III to Regulation (EC) No 853/2004 and in Directive 2002/99/EC;

(c) are dairy products made from raw milk obtained from

([1]) *either* [cows, ewes, goats or buffaloes and prior to import into the territory of the European Union have undergone or been produced from raw milk which has undergone

([1]) *either* [a pasteurisation treatment involving a single heat treatment with a heating effect at least equivalent to that achieved by a pasteurisation process of at least 72 °C for at 15 seconds and where applicable, sufficient to ensure a negative reaction to an alkaline phosphatase test applied immediately after the heat treatment;]

([1]) *or* [a sterilisation process, to achieve an F_0 value equal to or greater than three;]

([1]) *or* [an ultra high temperature (UHT) treatment at not less than 135 °C in combination with a suitable holding time;]

([1]) *or* [a high temperature short time pasteurisation treatment (HTST) at 72 °C for 15 seconds, or a treatment with an equivalent pasteurisation effect, applied to milk with a pH lower than 7,0 achieving, where applicable, a negative reaction to a alkaline phosphatase test;]

([1]) *or* [a high temperature short time pasteurisation treatment (HTST) at 72 °C for 15 seconds, or a treatment with an equivalent pasteurisation effect, applied twice to milk with a pH equal to or greater than 7,0 achieving, where applicable, a negative reaction to a alkaline phosphatase test, immediately followed by

([1]) *either* [lowering the pH below 6 for 1 hour;]

([1]) *or* [additional heating equal to or greater than 72 °C, combined with desiccation;]]

COUNTRY **Composite products intended for human consumption**
Transit/Storage

II. Health information	II.a. Certificate reference number	II.b.

([1]) *or* [animals other than cows, ewes, goats or buffaloes and prior to import into the territory of the European Union have undergone or been produced from raw milk which has undergone

([1]) *either* [a sterilisation process, to achieve an F_0 value equal to or greater than three;]

([1]) *or* [an ultra high temperature (UHT) treatment at not less than 135 °C in combination with a suitable holding time;]]

(d) were produced on ..... or between ..... and .....([4]).]

Notes

Part I:

— Box reference I.7: insert the ISO code of the country of origin of the meat product, treated stomachs, bladders and intestines as listed in Annex II, Part 2 to Decision 2007/777/EC and/or for processed dairy product in Annex I to Commission Regulation (EU) No 605/2010.

— Box reference I.11: name, address of the establishments of production of the composite product(s). Name of the country of origin which must be the same as the country of origin in box 1.7. Approval number is not applicable.

— Box reference I.15: registration number (railway wagons or container and road vehicles), flight number (aircraft) or name (ship). In the case of transport in containers, the total number of containers and their registration number and where there is a serial number of the seal it must be indicated in box I.23 In case of unloading and reloading, the consignor must inform the border inspection post of introduction into the European Union.

— Box reference I.19: use the appropriate Harmonised System (HS) code of the World Customs Organisation: codes of the following headings: 16.01; 16.02; 16.03; 16.04; 16.05; 19.01; 19.02; 19.05; 20.04; 20.05; 21.03; 21.04; 21.05; 21.06.

— Box reference I.20: indicate total gross weight and total net weight.

— Box reference I.23: for containers or boxes, the container number and the seal number (if applicable) must be included.

— Box reference I.28: manufacturing plant: insert the name and approval number if available of the establishments of production of the composite product(s). Nature of commodity: in case of composite products containing meat products, treated stomachs, bladders and intestines indicate 'meat product', 'treated stomachs', 'bladders' or 'intestines'. In case of composite product containing dairy products indicate 'dairy product'.

Part II:

([1]) Keep as appropriate.

([2]) Meat products as laid down in point 7.1 of Annex I to Regulation (EC) No 853/2004 and treated stomachs, bladders and intestines as laid down in point 7.9 of Annex I to Regulation (EC) No 853/2004 that have undergone one of the treatments laid down in Annex II Part 4 to Decision 2007/777/EC.

([3]) Raw milk and dairy products means, raw milk and dairy products for human consumption as defined in point 7.2 of Annex I to Regulation (EC) No 853/2004.

([4]) Date or dates of production. Imports of raw milk and dairy products shall not be allowed when obtained either prior to the date of authorisation for exportation to the European Union of the third country or part thereof mentioned under I.7 and I.8, or during a period where restrictive measures have been adopted by the European Union against imports of raw milk and dairy products from this third country or part thereof.

— The colour of the signature shall be different to that of the printing. The same rule applies to stamps other than those embossed or watermark.

Official veterinarian/Official inspector

Name (in capital letters): Qualification and title:

Date: Signature:

Stamp:

COMMISSION IMPLEMENTING REGULATION (EU) No 29/2012

of 13 January 2012

on marketing standards for olive oil

(codification)

THE EUROPEAN COMMISSION,

Having regard to the Treaty establishing the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ([1]), and in particular Article 113, paragraph 1, point (a), and Article 121, first paragraph, point (a), in conjunction with Article 4,

Whereas:

(1) Commission Regulation (EC) No 1019/2002 of 13 June 2002 on marketing standards for olive oil ([2]) has been substantially amended several times ([3]). In the interests of clarity and rationality the said Regulation should be codified.

(2) Olive oil has certain properties, in particular organoleptic and nutritional properties, which, taking into account its production costs, allow it access to a relatively high-price market compared with most other vegetable fats. In view of this market situation, marketing standards should be laid down for olive oil containing, in particular, specific labelling rules supplementing those laid down in Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs ([4]), and in particular the rules laid down in Article 2 thereof.

(3) To guarantee the authenticity of the olive oils sold, packaging for the retail trade should be small and have an adequate closing system. However, the Member States should be allowed to authorise larger packaging for collective establishments.

(4) Besides the compulsory descriptions for the various categories of olive oil provided for in Article 118 of Regulation (EC) No 1234/2007, consumers should be informed about the types of olive oil offered.

(5) As a result of agricultural traditions and local extraction and blending practices directly marketable virgin olive oils may be of quite different taste and quality depending on their geographical origin. This may result in price differences within the same category that disturb the market. There are no substantial differences linked to origin in other categories of edible olive oil, and so indicating the designation of origin on the immediate packaging of such oil may lead consumers to believe that quality differences do exist. In order not to distort the market in edible olive oils, an obligatory Union regime should therefore be established for designations of origin, which should be restricted to extra virgin and virgin olive oils which satisfy precise conditions. Optional arrangements implemented until 2009 proved not to be sufficient to avoid misleading consumers as to the real characteristics of virgin oils in this regard. In addition, Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ([5]) established traceability rules, applicable since 1 January 2005. The experience gained by operators and administrations in this matter allowed making the labelling of the origin compulsory for extra virgin and virgin olive oil.

(6) Existing trade marks including geographical references may continue to be used provided they have been officially registered in the past in accordance with the first Council Directive 89/104/EEC of 21 December 1988 to approximate the laws of the Member States relating to trade marks ([6]), or Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark ([7]).

(7) A regional designation of origin may be covered by a protected designation of origin (PDO) or a protected geographical indication (PGI) under Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ([8]). Designations indicating a regional origin should be reserved for PDOs or PGIs so as to avoid confusion among consumers potentially leading to market disturbances. In the case of imported olive oils, the rules on non-preferential origin provided for in Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ([9]) must be complied with.

([1]) OJ L 299, 16.11.2007, p. 1.
([2]) OJ L 155, 14.6.2002, p. 27.
([3]) See Annex I.
([4]) OJ L 109, 6.5.2000, p. 29.
([5]) OJ L 31, 1.2.2002, p. 1.
([6]) OJ L 40, 11.2.1989, p. 1.
([7]) OJ L 78, 24.3.2009, p. 1.
([8]) OJ L 93, 31.3.2006, p. 12.
([9]) OJ L 302, 19.10.1992, p. 1.

(8) If the designation of origin of virgin olive oil refers to the Union or a Member State, it should be borne in mind that not only the olives used but also the extraction techniques and practices influence the quality and taste of the oil. The designation of origin must thus refer to the geographical area in which the olive oil was obtained, which is generally the area in which the oil was extracted from the olives. However, in certain cases the oil is extracted at a place that is not the same as that where the olives were harvested and this information should be stated on the packaging or labels attached to the packaging to ensure that consumers are not misled and the market in olive oil is not disturbed.

(9) In the Union, a significant share of extra virgin and virgin olive oils is composed of blends of oils originating from various Member States and third countries. Simple provisions should be laid down for the labelling of the origin of such blends.

(10) Under Directive 2000/13/EC, indications shown on the labelling may not mislead the purchaser, particularly as to the characteristics of the olive oil concerned, or by attributing to it properties which it does not possess, or by suggesting that it possesses special characteristics when in fact most oils possess such characteristics. Certain commonly used, optional indications that are specific to olive oil also require harmonised rules to precisely define such claims and ensure that their accuracy can be verified. Accordingly, the concepts of 'cold pressing' and 'cold extraction' should correspond to a technically defined traditional production method. Certain terms describing the organoleptic characteristics referring to taste and/or smell of extra virgin and virgin olive oils have been defined by the International Olive Council (IOC) in its revised method for the organoleptic assessment of virgin olive oils. The use of such terms on the labelling of extra virgin and virgin olive oils should be reserved to oils that have been assessed following the corresponding method of analysis. Transitional arrangements are needed for certain operators presently using the reserved terms. Reference to acidity in isolation wrongly suggests a scale of absolute quality which is misleading for consumers since this factor represents a qualitative value only in relation to the other characteristics of the olive oil concerned. Consequently, in view of the proliferation of certain indications and of their economic significance, objective criteria for their uses should be established in order to introduce clarity into the olive oil market.

(11) Steps should be taken to ensure that foodstuffs containing olive oil do not take advantage of consumers by highlighting the reputation of olive oil without clearly specifying the real composition of the product. The percentage of olive oil and certain indications specific to products consisting exclusively of a blend of vegetable oils should therefore be clearly shown on the labelling. In addition, account should be taken of the special provisions laid down in certain regulations specific to olive oil products.

(12) The names of the categories of olive oil correspond to physico-chemical and organoleptic characteristics which are set out in Annex XVI to Regulation (EC) No 1234/2007 and in 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 [1]. All other indications appearing on the labelling should be corroborated by objective elements in order to ensure that consumers are not misled and that competition on the markets in the oils concerned is not distorted.

(13) Within the framework of the system of checks laid down in Article 113(3), second subparagraph of Regulation (EC) No 1234/2007, the Member States should specify the evidence to be provided and the financial penalties incurred in the case of the different terms that can be used on labelling. Without ruling out any possibilities a priori, such evidence could include established facts, results of analyses or reliable recordings, and administrative or accounting information.

(14) Since checks on undertakings responsible for labelling must be made in the Member State in which they are established, there should be a procedure for administrative cooperation between the Commission and the Member States where the oil is marketed.

(15) In order to evaluate the arrangements provided for in this Regulation, the Member States concerned should report on the circumstances and difficulties encountered.

(16) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to Directive 2000/13/EC and Regulation (EC) No 510/2006, this Regulation lays down specific standards for retail-stage marketing of the olive oils and olive-pomace oils referred to in points 1(a) and (b), 3 and 6 of Annex XVI to Regulation (EC) No 1234/2007.

2. For the purposes of this Regulation, retail stage means the sale to the final consumer of oil as referred to in paragraph 1, presented in the natural state or incorporated in a foodstuff.

[1] OJ L 248, 5.9.1991, p. 1.

Article 2

Oils as referred to in Article 1(1) shall be presented to the final consumer in packaging of a maximum capacity of 5 litres. Such packaging shall be fitted with an opening system that can no longer be sealed after the first time it is opened and shall be labelled in accordance with Articles 3 to 6.

However, in the case of oils intended for consumption in restaurants, hospitals, canteens and other similar collective establishments, the Member States may set a maximum capacity exceeding 5 litres for packaging depending on the type of establishment concerned.

Article 3

Descriptions in accordance with Article 118 of Regulation (EC) No 1234/2007 shall be considered as the name under which the product is sold as referred to in Article 3(1)(1) of Directive 2000/13/EC.

The labelling of oils as referred to in Article 1(1) shall bear, in clear and indelible lettering, in addition to the description referred to in the first paragraph of this Article, but not necessarily close to it, the following information on the category of oil:

(a) extra virgin olive oil:

'superior category olive oil obtained directly from olives and solely by mechanical means';

(b) virgin olive oil:

'olive oil obtained directly from olives and solely by mechanical means';

(c) olive oil composed of refined olive oils and virgin olive oils:

'oil comprising exclusively olive oils that have undergone refining and oils obtained directly from olives';

(d) olive-pomace oil:

'oil comprising exclusively oils obtained by treating the product obtained after the extraction of olive oil and oils obtained directly from olives',

or

'oil comprising exclusively oils obtained by processing olive pomace and oils obtained directly from olives'.

Article 4

1. Extra virgin olive oil and virgin olive oil as defined in points 1(a) and (b) of Annex XVI to Regulation (EC) No 1234/2007 shall bear a designation of origin on the labelling.

Products defined in points 3 and 6 of Annex XVI to Regulation (EC) No 1234/2007 shall not bear any designation of origin on the labelling.

For the purposes of this Regulation, 'designation of origin' means reference to a geographical area on the packaging or the label attached to the packaging.

2. Designations of origin referred to in paragraph 1 shall only consist of:

(a) in the case of olive oils originating, in accordance with the provisions of paragraphs 4 and 5, from one Member State or third country, a reference to the Member State, to the Union or to the third country, as appropriate; or

(b) in the case of blends of olive oils originating, in accordance with the provisions of paragraphs 4 and 5, from more than one Member State or third country, one of the following mentions, as appropriate:

(i) 'blend of olive oils of European Union origin' or a reference to the Union;

(ii) 'blend of olive oils not of European Union origin' or a reference to origin outside the Union;

(iii) 'blend of olive oils of European Union origin and not of European Union origin' or a reference to origin within the Union and outside the Union; or

(c) a protected designation of origin or a protected geographical indication referred to in Regulation (EC) No 510/2006, in accordance with the provisions of the product specification concerned.

3. The names of brands or firms whose registration was applied for no later than 31 December 1998 under Directive 89/104/EEC or no later than 31 May 2002 under Council Regulation (EC) No 40/94 [1] shall not be considered to be designations of origin covered by this Regulation.

4. In the case of import from a third country, the designation of origin shall be determined in accordance with Articles 22 to 26 of Regulation (EEC) No 2913/92.

5. The designation of origin mentioning a Member State or the Union shall correspond to the geographical area in which the olives concerned were harvested or in which the mill where the oil was extracted from the olives is situated.

If the olives have been harvested in a Member State or third country other than that in which the mill where the oil was extracted from the olives is situated, the designation of origin shall contain the following wording: '(extra) virgin olive oil obtained in (the Union or the name of the Member State concerned) from olives harvested in (the Union or the name of the Member State or third country concerned)'.

Article 5

Among the optional indications which may appear on the labelling of oil as referred to in Article 1(1), those laid down in this Article shall comply with the following respective requirements:

[1] OJ L 11, 14.1.1994, p. 1.

(a) the indication 'first cold pressing' may appear only for extra virgin or virgin olive oils obtained at a temperature below 27 °C from a first mechanical pressing of the olive paste by a traditional extraction system using hydraulic presses;

(b) the indication 'cold extraction' may appear only for extra virgin or virgin olive oils obtained at a temperature below 27 °C by percolation or centrifugation of the olive paste;

(c) indications of organoleptic properties referring to taste and/or smell may appear only for extra virgin or virgin olive oils; the terms referred to in point 3.3 of Annex XII to Regulation (EEC) No 2568/91 may appear on the labelling only if they are based on the results of an assessment carried out following the method provided for in that Annex;

(d) indication of the acidity or maximum acidity may appear only if it is accompanied by an indication, in lettering of the same size and in the same visual field, of the peroxide value, the wax content and the ultraviolet absorption, determined in accordance with Regulation (EEC) No 2568/91.

Products sold under trademarks whose registration was applied for no later than 1 March 2008 and which contain at least one of the terms referred to in point 3.3 of Annex XII to Regulation (EEC) No 2568/91 may not comply with the requirements of Article 5, first paragraph, point (c) of this Regulation until 1 November 2012.

Article 6

1. Where the presence of oils as referred to in Article 1(1) in a blend of olive oil and other vegetable oils is highlighted on the labelling elsewhere than in the list of ingredients, using words, images or graphics, the blend concerned must bear the following trade description: 'Blend of vegetable oils (or the specific names of the vegetable oils concerned) and olive oil', directly followed by the percentage of olive oil in the blend.

The presence of olive oil may be highlighted by images or graphics on the labelling of a blend as referred to in the first subparagraph only where it accounts for more than 50 % of the blend concerned.

Member States may prohibit the production in their territory of blends of olive oil and other vegetable oils referred to in the first subparagraph for internal consumption. However, they may not prohibit the marketing in their territory of such blends coming from other countries and they may not prohibit the production in their territory of such blends for marketing in another Member State or for exportation.

2. With the exception of tuna in olive oil referred to in Council Regulation (EEC) No 1536/92 [1] and sardines in olive oil referred to in Council Regulation (EEC) No 2136/89 [2], where the presence of oils as referred to in Article 1(1) of this Regulation in a foodstuff, other than those referred to in paragraph 1 of this Article, is highlighted on the labelling elsewhere than in the list of ingredients, using words, images or graphics, the trade description of the foodstuff shall be directly followed by the percentage of oils as referred to in Article 1(1) of this Regulation relative to the total net weight of the foodstuff.

The percentage of added olive oil relative to the total net weight of the foodstuff may be replaced by the percentage of added olive oil relative to the total weight of fats, adding the words 'percentage of fats'.

3. The descriptions referred to in the first paragraph of Article 3 can be replaced by the words 'olive oil' on the labelling of products referred to in paragraphs 1 and 2 of this Article.

However, where olive-pomace oil is present, the words 'olive oil' shall be replaced by the words 'olive-pomace oil'.

4. The information referred to in the second paragraph of Article 3 is not required on the labelling of products referred to in paragraphs 1 and 2 of this Article.

Article 7

At the request of the Member State in which the address of the manufacturer, packer or seller appearing on the labelling is located, the party concerned shall supply documentation in support of the indications referred to in Articles 4, 5 and 6, based on one or more of the following elements:

(a) factual elements or scientifically established facts;

(b) results of analyses or automatic recordings taken on representative samples;

(c) administrative or accounting information kept in accordance with Union and/or national rules.

The Member State concerned shall allow a tolerance between the indications referred to in Articles 4, 5 and 6 and appearing on the labelling, and the conclusions reached on the basis of the supporting documentation presented and/or comparative expert opinions, taking account of the accuracy and 'repeatability' of the methods and the documentation concerned and, where applicable, the accuracy and 'repeatability' of the comparative expert opinions.

Article 8

1. Each Member State shall forward the name and address of the body or bodies responsible for monitoring the application of this Regulation to the Commission, which shall inform the other Member States and any interested parties who so request.

[1] OJ L 163, 17.6.1992, p. 1.

[2] OJ L 212, 22.7.1989, p. 79.

2. The Member State in which the address of the manufacturer, packer or seller appearing on the labelling is located shall, pursuant to a verification request, take samples before the end of the month following that of the request and verify the truth of the indications on the labelling concerned. This request may be sent by:

(a) the competent Commission departments;

(b) an operators' organisation in that Member State referred to in Article 125 of Regulation (EC) No 1234/2007;

(c) the control body of another Member State.

3. Requests as referred to in paragraph 2 shall be accompanied by all information needed for the requested verification, and in particular:

(a) the date of sampling or purchase of the oil in question;

(b) the name or business name and address of the undertaking where the sample was taken or where the oil concerned was purchased;

(c) the number of batches concerned;

(d) a copy of all labels appearing on the packaging of the oil concerned;

(e) the results of analysis or of the other comparative expert opinions indicating the methods used and the name and address of the laboratory or expert concerned;

(f) where applicable, the name of the supplier of the oil in question as declared by the marketing outlet.

4. Before the end of the third month following that of the request referred to in paragraph 2, the Member State concerned shall inform the requester of the reference number allocated to it and of the action taken.

Article 9

1. The Member States shall take the necessary measures, including as regards the system of penalties to ensure compliance with this Regulation.

The Member States shall communicate to the Commission the measures taken to that end no later than 31 December 2002 and the amendments to those measures before the end of the month following that in which they are adopted.

The Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia shall notify the Commission of the measures referred to in paragraph 1 no later than 31 December 2004, and of amendments to those measures before the end of the month following that in which they are adopted.

Bulgaria and Romania shall communicate to the Commission the measures referred to in the first paragraph no later than 31 December 2010, and the amendments to those measures before the end of the month following that in which they are adopted.

2. For the purpose of verifying indications as referred to in Articles 4, 5 and 6, the Member States concerned may introduce arrangements for approving establishments whose packaging facilities are situated in their territory.

Approval shall be granted and alphanumeric identification allocated to any establishment so requesting which meets the following conditions:

(a) possesses packaging facilities;

(b) undertakes to collect and keep the supporting documentation required by the Member State under Article 7;

(c) has a storage system which makes it possible to check the provenance of oils bearing a designation of origin, to the satisfaction of the Member State concerned.

The label shall, where applicable, bear the alphanumeric identification of the approved packaging plant.

Article 10

The Member States concerned shall forward to the Commission no later than 31 March each year, a report containing the following information for the previous year:

(a) requests for verifications received in accordance with Article 8(2);

(b) verifications undertaken and those commenced in previous marketing years and still underway;

(c) the follow-up to the verifications carried out and the penalties applied.

The report shall present this information by year in which verification was undertaken and by category of infringement. Where applicable, it shall stipulate any specific difficulties encountered and proposed improvements to controls.

Article 11

Regulation (EC) No 1019/2002 is repealed.

References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex II.

Article 12

1. This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

2. Products which have been legally manufactured and labelled in the Union or legally imported into the Union and put into free circulation before 1 July 2012 may be marketed until all stocks are used up.

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

Done at Brussels, 13 January 2012.

For the Commission
The President
José Manuel BARROSO

ANNEX I

Repealed Regulation with list of its successive amendments

Commission Regulation (EC) No 1019/2002 (OJ L 155, 14.6.2002, p. 27)	
Commission Regulation (EC) No 1964/2002 (OJ L 300, 5.11.2002, p. 3)	
Commission Regulation (EC) No 1176/2003 (OJ L 164, 2.7.2003, p. 12)	
Commission Regulation (EC) No 406/2004 (OJ L 67, 5.3.2004, p. 10)	Only Article 3
Commission Regulation (EC) No 1750/2004 (OJ L 312, 9.10.2004, p. 7)	
Commission Regulation (EC) No 1044/2006 (OJ L 187, 8.7.2006, p. 20)	
Commission Regulation (EC) No 632/2008 (OJ L 173, 3.7.2008, p. 16)	
Commission Regulation (EC) No 1183/2008 (OJ L 319, 29.11.2008, p. 51)	
Commission Regulation (EC) No 182/2009 (OJ L 63, 7.3.2009, p. 6)	
Commission Regulation (EU) No 596/2010 (OJ L 173, 8.7.2010, p. 27)	

ANNEX II

Correlation table

Regulation (EC) No 1019/2002	This Regulation
Articles 1 to 8	Articles 1 to 8
Article 9, paragraph 1	Article 9, paragraph 1
Article 9, paragraph 2	Article 9, paragraph 2
Article 9, paragraph 3	—
Article 10	Article 10
Article 11	—
—	Article 11
Article 12, paragraph 1	Article 12, paragraph 1
Article 12, paragraph 2, first indent	—
Article 12, paragraph 2, second indent	—
Article 12, paragraph 2, third indent	—
Article 12, paragraph 2, fourth indent	—
Article 12, paragraph 2, fifth indent	Article 12, paragraph 2
—	Annex I
—	Annex II

COMMISSION IMPLEMENTING REGULATION (EU) No 30/2012

of 13 January 2012

establishing the standard import values for determining the entry price of certain fruit and vegetables

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) [1],

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors [2], and in particular Article 136(1) thereof,

Whereas:

(1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.

(2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day 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, 13 January 2012.

For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and Rural Development

[1] OJ L 299, 16.11.2007, p. 1.
[2] OJ L 157, 15.6.2011, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code (1)	Standard import value
0702 00 00	MA	68,0
	TN	72,8
	TR	100,1
	ZZ	80,3
0707 00 05	EG	206,0
	TR	156,3
	ZZ	181,2
0709 91 00	EG	252,4
	MA	82,2
	ZZ	167,3
0709 93 10	MA	98,3
	TR	119,3
	ZZ	108,8
0805 10 20	EG	63,8
	MA	63,4
	TR	64,1
	ZZ	63,8
0805 20 10	MA	73,3
	ZZ	73,3
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	IL	78,4
	JM	134,7
	MA	57,0
	TR	86,1
	ZZ	89,1
0805 50 10	TR	53,7
	ZZ	53,7
0808 10 80	CA	124,6
	CN	113,3
	MK	23,6
	US	143,9
	ZA	93,2
	ZZ	99,7
0808 30 90	CN	74,1
	US	114,4
	ZZ	94,3

(1) Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION IMPLEMENTING REGULATION (EU) No 31/2012

of 13 January 2012

fixing the import duties in the cereals sector applicable from 16 January 2012

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) [1],

Having regard to Commission Regulation (EU) No 642/2010 of 20 July 2010 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of import duties in the cereals sector [2], and in particular Article 2(1) thereof,

Whereas:

(1) Article 136(1) of Regulation (EC) No 1234/2007 states that the import duty on products covered by CN codes 1001 19 00, 1001 11 00, ex 1001 91 20 (common wheat seed), ex 1001 99 00 (high quality common wheat other than for sowing), 1002 10 00, 1002 90 00, 1005 10 90, 1005 90 00, 1007 10 90 and 1007 90 00 is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.

(2) Article 136(2) of Regulation (EC) No 1234/2007 lays down that, in order to calculate the import duty referred to in paragraph 1 of that Article, representative cif import prices are to be established on a regular basis for the products in question.

(3) Under Article 2(2) of Regulation (EU) No 642/2010, the price to be used for the calculation of the import duty on products covered by CN codes 1001 19 00, 1001 11 00, ex 1001 91 20 (common wheat seed), ex 1001 99 00 (high quality common wheat other than for sowing), 1002 10 00, 1002 90 00, 1005 10 90, 1005 90 00, 1007 10 90 and 1007 90 00 is the daily cif representative import price determined as specified in Article 5 of that Regulation.

(4) Import duties should be fixed for the period from 16 January 2012 and should apply until new import duties are fixed and enter into force.

(5) Given the need to ensure that this measure applies as soon as possible after the updated data have been made available, this Regulation should enter into force on the day of its publication,

HAS ADOPTED THIS REGULATION:

Article 1

From 16 January 2012, the import duties in the cereals sector referred to in Article 136(1) of Regulation (EC) No 1234/2007 shall be those fixed in Annex I to this Regulation on the basis of the information contained in Annex II.

Article 2

This Regulation shall enter into force on the day 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, 13 January 2012.

For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and Rural Development

[1] OJ L 299, 16.11.2007, p. 1.
[2] OJ L 187, 21.7.2010, p. 5.

ANNEX I

Import duties on the products referred to in Article 136(1) of Regulation (EC) No 1234/2007 applicable from 16 January 2012

CN code	Description	Import duties [1] (EUR/t)
1001 19 00 1001 11 00	Durum wheat, high quality	0,00
	medium quality	0,00
	low quality	0,00
ex 1001 91 20	Common wheat seed	0,00
ex 1001 99 00	High quality common wheat other than for sowing	0,00
1002 10 00 1002 90 00	Rye	0,00
1005 10 90	Maize seed other than hybrid	0,00
1005 90 00	Maize other than seed [2]	0,00
1007 10 90 1007 90 00	Grain sorghum other than hybrids for sowing	0,00

[1] The importer may benefit, under Article 2(4) of Regulation (EU) No 642/2010, from a reduction in the duty of:

— EUR 3/t, where the port of unloading is located on the Mediterranean Sea (beyond the Strait of Gibraltar) or on the Black Sea, for goods arriving in the Union via the Atlantic Ocean or the Suez Canal,

— EUR 2/t, where the port of unloading is located in Denmark, Estonia, Ireland, Latvia, Lithuania, Poland, Finland, Sweden, the United Kingdom or on the Atlantic coast of the Iberian Peninsula, for goods arriving in the Union via the Atlantic Ocean.

[2] The importer may benefit from a flat-rate reduction of EUR 24/t where the conditions laid down in Article 3 of Regulation (EU) No 642/2010 are met.

ANNEX II

Factors for calculating the duties laid down in Annex I

30.12.2011-12.1.2012

1. Averages over the reference period referred to in Article 2(2) of Regulation (EU) No 642/2010:

(EUR/tonne)

	Common wheat (1)	Maize	Durum wheat, high quality	Durum wheat, medium quality (2)	Durum wheat, low quality (3)
Exchange	Minnéapolis	Chicago	—	—	—
Quotation	249,35	198,30	—	—	—
Fob price USA	—	—	352,97	342,97	322,97
Gulf of Mexico premium	81,26	15,87	—	—	—
Great Lakes premium	—	—	—	—	—

(1) Premium of EUR 14/t incorporated (Article 5(3) of Regulation (EU) No 642/2010).
(2) Discount of EUR 10/t (Article 5(3) of Regulation (EU) No 642/2010).
(3) Discount of EUR 30/t (Article 5(3) of Regulation (EU) No 642/2010).

2. Averages over the reference period referred to in Article 2(2) of Regulation (EU) No 642/2010:

Freight costs: Gulf of Mexico-Rotterdam: 19,85 EUR/t

Freight costs: Great Lakes-Rotterdam: — EUR/t

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