Conformity checks of olive oil marketing standards

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EU amends new sampling and analysis methods for checking olive oil characteristics

Commission Implementing Regulation (EU) 2024/2707 of 21 October 2024 amending Implementing Regulation (EU) 2022/2105 laying down rules on conformity checks of marketing standards for olive oil and methods of analysis of the characteristics of olive oil

Update

The EU has clarified the procedures for notifying conformity checks on olive oils. This affects the checks for organoleptic defects in olive oil declared as “extra virgin olive oil”, and the procedures for verifying conformity checks.

Background

In 2022, the EU established rules under Regulation (EU) 2022/2105 on the frequency of checks relating to olive oil marketing standards. Member States must carry out at least one conformity check per year, per thousand tons of olive oil marketed on their territory. The checks are carried out on the basis of risk analysis (e.g. taking into account category of oil, origin, price), and aim to verify that the olive oil category is correctly declared (Art. 3).

Olive oil operators from the mill to the bottling stage are obliged to keep entry and withdrawal registers for each category of olive oil they hold. On the request of an EU Member State, the operator that appears on the label must supply documentation supporting the description of the oil, its place of origin, and any reference to optional terms such as "first compressing", "cold extraction", etc. To meet these requirements, the operator can provide as evidence:

- factual elements or scientifically established facts
- analytical results of representative samples
- administrative or accounting information (Art. 5).

Where marketing standards are not respected, EU Member States must apply “effective, proportionate and dissuasive penalties” (Art. 13).

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Impacted products

olive oil

What is changing?

Organoleptic defects (that result from the oil production process or improper transport or storage) are one of the factors used to distinguish the category “extra virgin olive oil” from “virgin olive oil”. The new Regulation clarifies how EU Member States should notify findings of non-compliant olive oil.

When a sample of extra virgin olive oil does not comply with the limits set for organoleptic defects (Regulation 2022/2104, Annex I, Table A), the controlling authorities will make a non-compliance notification to the Rapid Alert System for Food and Feed (RASFF). If they consider that there was a deliberate intention to deceive consumers, they may make a food fraud notification.

The Annex to the new Regulation also introduces changes to the analytical methods and sampling requirements set out in the Annex to Regulation 2022/2105.

Why?

The Regulation aligns the methods of analysis with the International Olive Council trade standards for olive oils and olive pomace oils, and clarifies sampling methodology to ensure a harmonised cross-EU approach to controls.

Timeline

The Regulation applies from **11 November 2024**.

Resources

Commission Implementing Regulation (EU) 2022/2105 laying down rules on conformity checks of marketing standards for olive oil and methods of analysis of the characteristics of olive oil

Commission Delegated Regulation (EU) 2022/2104 as regards marketing standards for olive oil

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Sources

Draft Commission Implementing Regulation amending Implementing Regulation (EU) 2022/2105 laying down rules on conformity checks of marketing standards for olive oil and methods of analysis of the characteristics of olive oil

Draft Annex

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