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COMMISSION DELEGATED REGULATION (EU) 2024/1401

of 7 March 2024

amending Delegated Regulation (EU) 2022/2104 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards marketing standards for olive oil

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ([1]), and in particular Article 75(2), thereof,

Whereas:

(1) Commission Delegated Regulation (EU) 2022/2104 ([2]) lays down rules on the characteristics of the olive oils referred to in Part VIII, points 1 to 6, of Annex VII to Regulation (EU) No 1308/2013.

(2) The limit values for the characteristics of olive oil laid down in Delegated Regulation (EU) 2022/2104 reflect the trade standard for olive oil and olive-pomace oil of the International Olive Council (IOC) ([3]) (hereinafter, 'IOC Trade Standard').

(3) At its 116th IOC session which took place on 30 November 2022, the IOC adopted Decision DEC-III.2/116-VI/2022 amending the IOC Trade Standard as regards the limit of Δ-7-stigmastenol for all categories of olive oil. The Union voted in favour of this amendment, in accordance with Council Decision (EU) 2022/2391 ([4]).

(4) In order to ensure the implementation at Union level of the most recent international standard on limit values for the parameter Δ-7-stigmastenol established by the IOC, Delegated Regulation (EU) 2022/2104 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Delegated Regulation (EU) 2022/2104 is amended as follows:

(1) Annex I is amended as follows:

(a) table B is replaced by the table set out in Annex I to this Regulation;

(b) its Appendix is deleted;

(2) Annex III is replaced by the text set out in Annex II to this Regulation.

([1]) OJ L 347, 20.12.2013, p. 671, ELI: http://data.europa.eu/eli/reg/2013/1308/oj.

([2]) Commission Delegated Regulation (EU) 2022/2104 of 29 July 2022 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards marketing standards for olive oil, and repealing Commission Regulation (EEC) No 2568/91 and Commission Implementing Regulation (EU) No 29/2012 (OJ L 284, 4.11.2022, p. 1, ELI: http://data.europa.eu/eli/reg_del/2022/2104/oj).

([3]) https://www.internationaloliveoil.org/what-we-do/chemistry-standardisation-unit/standards-and-methods/.

([4]) Council Decision (EU) 2022/2391 of 25 November 2022 on the position to be taken on behalf of the European Union within the Council of Members of the International Olive Council, as regards the trade standard applying to olive oils and olive-pomace oils (OJ L 316, 8.12.2022, p. 86, ELI: http://data.europa.eu/eli/dec/2022/2391/oj).

Article 2

This Regulation shall enter into force on the twentieth day following that 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, 7 March 2024.

For the Commission
The President
Ursula VON DER LEYEN

'B. **Purity characteristics**

Category		Fatty acid composition (1)						Total transoleic isomers (%)	Total trans-linoleic + trans-linolenic isomers (%)	Stigmastadienes (mg/kg) (2)	ΔECN42	2-glyceryl monopalmitate (%)
		Myristic (%)	Linolenic (%)	Arachidic (%)	Eicosenoic (%)	Behenic (%)	Lignoceric (%)					
1.	Extra virgin olive oil	≤ 0,03	≤ 1,00 (3)	≤ 0,60	≤ 0,50	≤ 0,20	≤ 0,20	≤ 0,05	≤ 0,05	≤ 0,05	≤ |0,20|	≤ 0,9 if total palmitic acid % ≤ 14,00 % ≤ 1,0 if total palmitic acid % > 14,00 %
2.	Virgin olive oil	≤ 0,03	≤ 1,00 (3)	≤ 0,60	≤ 0,50	≤ 0,20	≤ 0,20	≤ 0,05	≤ 0,05	≤ 0,05	≤ |0,20|	≤ 0,9 if total palmitic acid % ≤ 14,00 % ≤ 1,0 if total palmitic acid % > 14,00 %
3.	Lampante olive oil	≤ 0,03	≤ 1,00	≤ 0,60	≤ 0,50	≤ 0,20	≤ 0,20	≤ 0,10	≤ 0,10	≤ 0,50	≤ |0,30|	≤ 0,9 if total palmitic acid % ≤ 14,00 % ≤ 1,1 if total palmitic acid % > 14,00 %
4.	Refined olive oil	≤ 0,03	≤ 1,00	≤ 0,60	≤ 0,50	≤ 0,20	≤ 0,20	≤ 0,20	≤ 0,30	—	≤ |0,30|	≤ 0,9 if total palmitic acid % ≤ 14,00 % ≤ 1,1 if total palmitic acid% > 14,00 %
5.	Olive oil composed of refined olive oil and virgin olive oils	≤ 0,03	≤ 1,00	≤ 0,60	≤ 0,50	≤ 0,20	≤ 0,20	≤ 0,20	≤ 0,30	—	≤ |0,30|	≤ 0,9 if total palmitic acid% ≤ 14,00 % ≤ 1,0 if total palmitic acid% > 14,00 %

6.	Crude olive-pomace oil	≤ 0,03	≤ 1,00	≤ 0,60	≤ 0,50	≤ 0,30	≤ 0,20	≤ 0,20	≤ 0,10	—	≤ |0,60|	≤ 1,4
7.	Refined olive-pomace oil	≤ 0,03	≤ 1,00	≤ 0,60	≤ 0,50	≤ 0,30	≤ 0,20	≤ 0,40	≤ 0,35	—	≤ |0,50|	≤ 1,4
8.	Olive-pomace oil	≤ 0,03	≤ 1,00	≤ 0,60	≤ 0,50	≤ 0,30	≤ 0,20	≤ 0,40	≤ 0,35	—	≤ |0,50|	≤ 1,2

([1]) Other fatty acids content (%): palmitic: 7,00-20,00; palmitoleic: 0,30-3,50; heptadecanoic: ≤ 0,40; heptadecenoic ≤ 0,60; stearic: 0,50-5,00; oleic: 55,00-85,00; linoleic: 2,50-21,00.
([2]) Total isomers which could (or could not) be separated by capillary column.
([3]) When the linolenic acid is more than 1,00 but less than or equal 1,40, the ratio apparent β-sitosterol/campesterol has to be greater than or equal to 24.

ELI: http://data.europa.eu/eli/reg_del/2024/1401/oj

Table B continued

Category	Sterols composition						Total sterols (mg/kg)	Erythrodiol and uvaol (**) (%)	Waxes (**) (mg/kg)
	Chole-sterol (%)	Brassica-sterol (%)	Campe-sterol(%)	Stigmasterol (%)	Apparent β–sito-sterol (1) (%)	Δ-7-stigma-stenol (%)			
1. Extra virgin olive oil	≤ 0,5	≤ 0,1	≤ 4,0 (2)	< Camp.	≥ 93,0	≤ 0,5 (3)	≥ 1 000	≤ 4,5	C42 + C44 + C46 ≤ 150
2. Virgin olive oil	≤ 0,5	≤ 0,1	≤ 4,0 (2)	< Camp.	≥ 93,0	≤ 0,5 (3)	≥ 1 000	≤ 4,5	C42 + C44 + C46 ≤ 150
3. Lampante olive oil	≤ 0,5	≤ 0,1	≤ 4,0	—	≥ 93,0	≤ 0,5 (4)	≥ 1 000	≤ 4,5 (5)	C40 + C42 + C44 + C46 ≤ 300 (5)
4. Refined olive oil	≤ 0,5	≤ 0,1	≤ 4,0	< Camp.	≥ 93,0	≤ 0,5 (6)	≥ 1 000	≤ 4,5 (7)	C40 + C42 + C44 + C46 ≤ 350
5. Olive oil composed of refined olive oil and virgin olive oils	≤ 0,5	≤ 0,1	≤ 4,0	< Camp.	≥ 93,0	≤ 0,5 (6)	≥ 1 000	≤ 4,5	C40 + C42 + C44 + C46 ≤ 350
6. Crude olive-pomace oil	≤ 0,5	≤ 0,2	≤ 4,0	—	≥ 93,0	≤ 0,5 (8)	≥ 2 500	> 4,5 (9)	C40 + C42 + C44 + C46 > 350 (9)

7.	Refined olive-pomace oil	≤ 0,5	≤ 0,2	≤ 4,0	< Camp.	≥ 93,0	≤ 0,5 ([8])	≥ 1 800	> 4,5	C40 + C42 + C44 + C46 > 350
8.	Olive-pomace oil	≤ 0,5	≤ 0,2	≤ 4,0	< Camp.	≥ 93,0	≤ 0,5 ([8])	≥ 1 600	> 4,5	C40 + C42 + C44 + C46 > 350

([1]) Apparent β-sitosterol: Δ-5,23-stigmastadienol+clerosterol+ β-sitosterol+sitostanol+ Δ-5-avenasterol+ Δ-5,24-stigmastadienol.

([2]) An extra virgin or virgin olive oil that exhibits 4,0 < campesterol % ≤ 4,5 is authentic provided that stigmasterol ≤ 1,4 %, Δ-7-stigmastenol ≤ 0,3 % and all other parameters lie within the limits fixed in this Regulation.

([3]) An extra virgin or virgin olive oil that exhibits 0,5 < Δ-7-stigmastenol % ≤ 0,8 is authentic provided that apparent β-sitosterol/campesterol ≥ 28, ΔECN42 ≤|0,10| and all other parameters lie within the limits fixed in this Regulation.

([4]) A lampante olive oil that exhibits 0,5 < Δ-7-stigmastenol % ≤ 0,8 is authentic provided that apparent β-sitosterol/campesterol ≥ 28, ΔECN42 ≤ |0,15|, stigmastadienes ≤ 0,30 mg/kg and all other parameters lie within the limits fixed in this Regulation.

([5]) Oils with a wax content of between 300 mg/kg and 350 mg/kg are considered to be lampante olive oil if the total aliphatic alcohol content is less than or equal to 350 mg/kg or if the erythrodiol and uvaol content is less than or equal to 3,5 %.

([6]) A refined olive oil or olive oil composed of refined olive oil and virgin olive oils that exhibits 0,5 < Δ-7-stigmastenol % ≤ 0,8 is authentic provided that apparent β-sitosterol/campesterol ≥ 28, ΔECN42 ≤ |0,15| and all other parameters lie within the limits fixed in this Regulation.

([7]) Oils with an erythrodiol + uvaol content of between 4,5 and 6 % must have an erythrodiol content of less than or equal to 75 mg/kg.

([8]) A crude olive-pomace oil or refined olive-pomace oil or olive-pomace oil that exhibits 0,5 < Δ-7-stigmastenol % ≤ 0,8 is authentic provided that stigmasterol ≤ 1,4 %, ΔECN42 ≤ |0,40| and all other parameters lie within the limits fixed in this Regulation.

([9]) Oils with a wax content of between 300 mg/kg and 350 mg/kg are considered to be crude olive-pomace oil if the total aliphatic alcohol content is above 350 mg/kg and if the erythrodiol and uvaol content is greater than 3,5 %.

Notes:

(a) The results of the analyses must be expressed to the same number of decimal places as used for each characteristic. The last digit must be increased by one unit if the following digit is greater than 4.

(b) If just a single characteristic does not match the values stated, the category of an oil shall be changed or the oil shall be declared non-compliant for the purposes of this Regulation.

(c) For lampante olive oil, both quality characteristics marked with an asterisk (*) may differ simultaneously from the limits established for that category.

(d) If a characteristic is marked with two asterisks (**), this means that for crude olive-pomace oil, it is possible for both the relevant limits to be different from the stated values at the same time. For olive-pomace oil and refined olive-pomace oil, one of the relevant limits may be different from the stated values.'

ANNEX II

'ANNEX III

CORRELATION TABLE

Implementing Regulation (EU) No 29/2012	Regulation (EEC) No 2568/91	This Regulation	Implementing Regulation (EU) 2022/2105
—	—	Article 1, point (a)	
—	—		Article 1
—	—		Article 2(2)
Article 1(1)		Article 1, point (b), and Article 1(2)	
Article 1(2)		Article 1, point (b)	
Article 2, first paragraph		Article 4(1)	
Article 2, second paragraph		Article 4(2)	
Article 3, first paragraph		Article 6(1)	
Article 3, second paragraph, points (a) to (d)		Article 6(2), points (a) to (d)	
Article 4(1), first subparagraph		Article 8(1)	
Article 4(1), second subparagraph		Article 8(2)	
Article 4(1), third subparagraph		—	
Article 4(2)		Article 8(3)	
Article 4(3)		Article 8(4)	
Article 4(4)		Article 8(5)	
Article 4(5), first subparagraph		Article 8(6)	
Article 4(5), second subparagraph		Article 8(7)	
Article 4a		Article 7	
Article 4b		Article 5	
Article 5, first paragraph, points (a) to (d)		Article 10, points (a) to (d)	
Article 5, first paragraph, point (e)		Article 11(1) and (2)	
Article 5, second paragraph		—	
Article 5a, first paragraph		Article 11(3)	
Article 5a, second paragraph		Article 11(4)	

Article 5a, third paragraph		Article 11(5)	
Article 6(1), first subparagraph		Article 12(1)	
Article 6(1), second subparagraph		Article 12(2)	
Article 6(1), third subparagraph		Article 3(3)	
Article 6(2), first subparagraph		Article 12(3)	
Article 6(2), second subparagraph		Article 12(4)	
Article 6(3)		Article 12(5)	
—	—	Article 12(6)	
Article 6(4)		—	
Article 7			Article 5(2)
Article 8(1)			Article 2(3)
Article 8(2)			Article 4(3)
Article 8(3)			Article 4(2)
Article 8(4)			Article 4(3)
Article 8a			Article 2(1) and Article 4(1)
Article 9(1), first subparagraph			Article 13(1)
Article 9(1), second subparagraph			Article 13(2)
Article 9(1), third subparagraph			—
Article 9(1), fourth subparagraph			—
Article 9(1), fifth subparagraph			—
Article 9(2),first subparagraph			Article 6(1)
Article 9(2), second subparagraph, points (a), (b) and (c)			Article 6(2), points (a), (b) and (c)
Article 9(2), third subparagraph		Article 9	
—			Article 6(3)
Article 10, first paragraph, introductory sentence			Article 14
Article 10, first paragraph, points (a) to (d), and second paragraph			—
Article 10a			Article 14

Annex I		—	
Annex II		—	
	Article 1(1)	Article 2(1), points (a) and (b)	
	Article 1(2)	Article 2(1), point (c)	
	Article 1(3)	Article 2(1), point (d)	
	Article 1(4)	Article 2(1), point (e)	
	Article 1(5)	Article 2(1), point (f)	
	Article 1(6)	Article 2(1), point (g)	
	Article 1(7)	Article 2(1), point (h)	
—	—	Article 2(2)	
—	—	Article 3(1) and (2)	
	Article 2(1)		Article 7
	Article 2(1), point (a)		Annex I, point 1
	Article 2(1), point (b)		Annex I, point 2
	Article 2(1), point (c)		—
	Article 2(1), point (d)		—
	Article 2(1), point (e)		Annex I, point 3
	Article 2(1), point (f)		Annex I, point 4
	Article 2(1), point (g)		Annex I, point 6
	Article 2(1), point (h)		—
	Article 2(1), point (i)		Annex I, point 5
	Article 2(1), point (j)		Annex I, point 9
	Article 2(1), point (k)		Annex I, point 10
	Article 2(1), point (l)		Annex I, point 8
	Article 2(1), point (m)		Annex I, point 7
	Article 2(2), first sub-paragraph and part of point 9.4 of Annex XII		Article 10(1)

	Article 2(2), second subparagraph		Article 11(1)
	Article 2(2), third subparagraph		Article 11(2)
	—		Article 11(3)
	part of point 9.4 of Annex XII		Article 11(4)
	Article 2(3), first subparagraph		Article 3(1)
	Article 2(3), second subparagraph		Article 3(2)
	Article 2(4), first subparagraph		Article 9(2)
	Article 2(4), second subparagraph		Article 9(3)
	Article 2(4), third subparagraph		Article 9(4)
	Article 2(5)		Article 9(5)
	Article 2a(1)		Article 3(1)
	Article 2a(2)		Article 3(3)
	Article 2a(3)		Article 3(4)
	Article 2a(4), first subparagraph		Article 3(5)
	Article 2a(4), second subparagraph		Article 3(2)
	Article 2a(5)		Article 9(1)
	Article 3, first paragraph		Article 13(1)
	Article 3, second paragraph		Article 3(6)
	Article 4(1), first subparagraph		Article 10(1)
	Article 4(1), second subparagraph		Article 10(2)
	Article 4(1), third subparagraph		Article 10(3)
	Article 4(2)		Article 10(4)

	Article 4(3)		-
	Article 6(1)		Article 12(1)
	Article 6(2)		Article 12(2)
	Article 7		—
	Article 7a, first sub-paragraph		Article 5(1)
	Article 7a, second paragraph		Article 2(2)
	Article 8(1)		—
	Article 8(2)		Article 14
	Annex I	Annex I	
	Annex XII, point 3.3	Annex II	
	Annex Ia, except for point 2.1		Annex II
	Annex Ia, point 2.1		Article 9(6)
	Annex Ib		Annex III
	Annex III		—
	Annex IV		—
	Annex VII		—
	Annex IX		—
	Annex X		—
	Annex XI		—
	Annex XII, except for point 3.3 and part of point 9.4		—
	Annex XV		Annex IV
	Annex XVI		—
	Annex XVII		—
	Annex XVIII		—
	Annex XIX		—
	Annex XX		—
	Annex XXI		Annex V’