EU legislation: Olive oil

Introduction
If you export olive oils intended to be sold at the retail stage in the EU, you have to make sure your products comply with the following requirements:

1. Health and safety control (food law, hygiene, microbiological criteria, contaminants and pesticides);
2. Quality and purity criteria;
3. Marketing standards; and
4. Other requirements (food additives, food contact materials, GMO’s, labelling and organic products).

This document provides more information on the quality and purity criteria and marketing standards for olive oils intended to be sold directly to EU customers. In the CBI database you can find documents providing information on the other topics.

Outline of the legislation

Regulation (EEC) 2568/91 in conjunction with Regulation (EC) 1019/2002 lay down the relevant market access requirements for olive oil exported from non-EU countries. If you intend to export olive oils you have to make sure to at least comply with these requirements in order to be allowed EU entry.

1. Quality and purity criteria

Regulation (EEC) 2568/91 distinguishes different categories of olive oil and olive-residue oil. These are:

- Virgin olive oil: Extra virgin olive oil, Virgin olive oil and Lampante olive oil
- Refined olive oil
- Olive oil

Exporting olive oil to the EU

The EU is the leading world’s producer of olive oil, accounting for 80% and consuming 70% of the world’s olive oil. Spain is the top producer worldwide, followed by Italy, Greece and Portugal. The fact that the EU is self-sufficient does not mean that no olive oils from non-EU countries are traded in the EU. Mediterranean countries such as Tunisia, Turkey, Syria and Morocco are also important producer countries. In recent years, new ‘olive oil countries’, such as South-Africa and Mexico, have gained the interest of EU buyers as well.

These new countries appear to be capable of producing olive oils that in quality are comparable with European olive oils. Furthermore, these countries have free trade agreements with the EU that cover processed agricultural products. These countries are therefore not bound to high import duties. In this respect, the EU market may provide new market openings for other non-EU countries that have free trade agreements with the EU (e.g. Chile, Colombia and Peru).

To be able to compete with the European olive oils, olive oils producers of non-EU countries should make sure their oils are of a comparable quality. Furthermore, they should check with potential EU buyers whether there will be a demand market for their olive oils in the EU.

1 Olive oils used as a food ingredient in processed food products or exported to the EU intended to be further processed in food products within the EU do not fall under the scope of this legislation. These products only have to comply with the health and safety requirements and other requirements (No. 1 and 4 what does this refer to?) that apply to all food products marketed to the EU.
To ensure the purity of each category, the Regulation establishes in Annex I the physical-chemical characteristics for each category and organoleptic (sensory) characteristics for virgin olive oil in particular. The criteria relate to (a.o.) maximum contents for peroxides, sterols and fatty acids. For a short description of each category, refer to the section on ‘designated marketing names’.

To ensure a uniform quality the Regulation furthermore establishes methods of analysis for the determination of the chemical characteristics. These methods are laid down in the following Annexes of the Regulation:

- Annex II: Free fatty acids, expressed as the percentage of oleic acid
- Annex III: Peroxide index
- Annex IV: Wax content
- Annex V: Sterol content
- Annex VI: Erythrodiol and uvaol
- Annex VII: Percentage of 2-glyceryl monopalmitate
- Annex IX: Spectrophotometric analysis
- Annex X A and B: Fatty acid composition
- Annex XI: Volatile halogenated solvents
- Annex XII: Organoleptic characteristics of virgin oil
- Annex XVII: Stigmastadienes
- Annex XVIII: Content of triglycerides with ECN42
- Annex XIX: Aliphatic alcohol content

The organoleptic characteristics refer to sensory properties, such as appearance, bouquet and taste. Organoleptic assessment may only be carried out by trained tasting panels approved by the EU Member States. EU Member States are allowed to impose administrative fines if the organoleptic characteristics of an olive oil are different from those which the olive oil described on the label.

For more information on the tasting panels, can be found on the website of the International Olive Council (IOC).

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**Testing**

It is your EU importer who is responsible for ensuring that the chemical composition of olive oil imported in the EU meets the quality and purity characteristics of the relevant olive oil category. Before EU importers place an order they will probably require you to provide them with test reports or samples so they can perform the tests themselves.

To comply with the purity criteria of a certain category, for example to meet the fatty acids percentage, chemical manipulation is sometimes used to market virgin olive oils (which have higher prices in the market). It can be difficult to detect these kinds of manipulations through chemical testing. Trained olive oil experts however, are usually very successful in detecting manipulated olive oils just by smelling and tasting the olive oil. This is why sensory testing is so important for EU buyers.

If you intend to set up a successful trade channel with the EU, you have to make sure your olive oils, for example ‘extra virgin oils’, are indeed extra virgin oils. Negative test reports can severely damage your reputation.
Regulation (EEC) 2568/91 further restricts the presence of halogenated solvents (e.g. freon, trichloroethylene, perchloroethylene, chloroform) in olive oil. The limits for all categories of olive oils are:

<table>
<thead>
<tr>
<th>Halogenated solvents</th>
<th>Maximum content</th>
</tr>
</thead>
<tbody>
<tr>
<td>Each halogenated solvent detected</td>
<td>0.1 mg/kg</td>
</tr>
<tr>
<td>Total halogenated solvents detected</td>
<td>0.2 mg/kg</td>
</tr>
</tbody>
</table>

**Erucic acid**

When exporting olive oils to the EU, also note the EU legislation setting maximum levels for erucic acid in oils and fats. More information can be found in the CBI document 'EU legislation: Maximum level for erucic acid in oils and fats'.

2. Marketing standards

To facilitate EU consumers to compare between different qualities of olive oil, the EU prescribes in Regulation (EC) 1019/2002 the names under which olive oils may be marketed. These names correspond with the categories described above. Furthermore, specific requirements are laid down regarding packaging and labelling.

**Designated marketing names**

The table below provides an overview of the several categories (types) of olive oil and their designated names. Only the oils referred to in the categories 1 (a) and (b), 3 and 6 are considered fit for human consumption.

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
</table>
| 1. Virgin olive oil           | • Directly obtained from olives solely by mechanical or other physical means under conditions that do not lead to alteration in the oil and which have not undergone any treatment other than washing, decantation, centrifugation or filtration.  
  • Excluded are:  
    - Oils obtained by the use of solvents, adjuvants having a chemical or bio-chemical action, or re-esterification methods;  
    - Oils mixed with oils from other sources.  
  • The following designations and classifications apply:  
    a) Extra virgin olive oil: Virgin olive oil which has a free acidity, expressed as oleic acid, of not more than 0.8 grams per 100 gram (0.8%).  
    b) Virgin olive oil: Virgin olive oil which has a free acidity, expressed as oleic acid, of not more than 2 grams per 100 grams (0.2%).  
    c) Lampante olive oil: Virgin olive oil which has a free acidity, expressed as oleic acid, of not more than 2 grams per 100 grams. |
| 2. Refined olive oil           | • Oil obtained from virgin oil by refining methods;  
  • Oleic acid: Not more than 0.3 grams per 100 grams (0.3%). |
| 3. Olive oil                   | • Mix of refined oil and virgin oil (other than lampante olive oil);  
  • Oleic acid: Not more than 1 gram per 100 grams (0.1%). |
| 4. Crude olive-pomace oil      | • Oil obtained from olive pomace by treatment with solvents or by physical means or oil corresponding to lampante olive oil (except for certain specified characteristics);  
  • Excluded are:  
    - Oils obtained by means of re-esterification;  
    - Oils mixed with other types of oils. |
| 5. Refined olive-pomace oil    | • Oil obtained by refining crude olive-pomace oil; |
### EU legislation: Olive oil

**Pomace oil**

<table>
<thead>
<tr>
<th>Olive-pomace oil</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Oleic acid: Not more than 0.3 grams per 100 grams (0.3%).</td>
</tr>
</tbody>
</table>

### Olive oils flavoured with herbs and spices

Flavoured oils (e.g. flavoured with garlic, herbs, spices, chillies, etc.) fall under the scope of Regulation (EC) 1019/2002 and are therefore bound to the same marketing standards.

### Packaging

The EU has laid down a maximum capacity of pre-packaged olive oil. Olive oils sold to EU customers at the retail stage must be packaged in containers with a maximum capacity of 5 litres which may not be resealable. EU Member States can set a maximum capacity of more than 5 litres for olive oils intended to be sold to restaurants, hospitals, canteens and similar collective establishments. You can check with your EU buyer if other maximum capacities apply.

### Labelling

All olive oils sold at the retail stage in the EU must be labelled in accordance with the general labelling requirements of Directive 2000/13/EC. In any case, a label may not mislead consumers regarding the characteristics of oils (composition, quality, origin, category, method of production, etc.). More information on these general labelling requirements can be found in the CBI document ‘EU legislation: Food labelling’.

In addition, specific information must appear on the labels of containers containing an olive oil that is considered fit for human consumption (categories 1(a) and 1(b), 3 and 6):

- Extra virgin olive oil: ‘superior category olive oil obtained directly from olives and solely by mechanical means’;
- Virgin olive oil: ‘olive oil obtained directly from olives and solely by mechanical means’;
- Olive oil: ‘oil comprising exclusively olive oils that have undergone refining and oils obtained directly from olives’;
- 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 oil and oils obtained directly from olives’.

This information may appear on the label on the back of the container, provided that it is clear and indelible. The sales names of these categories must appear on the same field of vision on the label as the net quantity and the “best before date” indication.

### Designation of origin

The label or packaging of a container containing extra virgin olive or virgin olive oil (categories 1(a) and 1(b)) must contain information on the ‘designation of origin’. This means that a reference to the country of origin (geographical area) of the olive oil must be made.

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2 The term ‘resealable’ means that the closure can be closed at least once after the container is opened for the first time. With regard to olive oil containers it must be impossible to re-seal the opening system after the first time the container is opened.

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In case the olives have been harvested in a country other than where the oil was extracted from the olives, the designation of origin must contain the following texts: ‘(extra) virgin olive oil obtained in <name of the country> from olives harvested in <name of the country>’.

In the case of olive oil blends originating from more than one country, one of the following texts should be mentioned, as appropriate:

- ‘blend of Community olive oils’ or a reference to the EU;
- ‘blend of non-Community olive oils’ or a reference to non-EU origin;
- ‘blend of Community and non-Community olive oils’ or a reference to the EU and non-EU country origin.

Optional indications:
The following optional indications may also be presented on the labelling:

<table>
<thead>
<tr>
<th>Indication</th>
<th>May appear only:</th>
</tr>
</thead>
<tbody>
<tr>
<td>‘first cold pressing’</td>
<td>For virgin or extra 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.</td>
</tr>
<tr>
<td>‘cold extraction’</td>
<td>For virgin or extra virgin olive oils obtained at a temperature below 27 °C by percolation or centrifugation of the olive paste.</td>
</tr>
<tr>
<td>organoleptic properties referring to taste and/or smell</td>
<td>For virgin or extra virgin olive oils if the assumed properties are based on the results of a method of analysis provided for in Regulation (EEC) 2568/91.</td>
</tr>
<tr>
<td>acidity or maximum acidity</td>
<td>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 as determined according the methods of analysis provide for in Regulation (EEC) 2568/91.</td>
</tr>
</tbody>
</table>

Blends of olive oil and other vegetable oils:
In case a blend of olive oil (or olive-pomace oil) and other vegetable oils is highlighted (through words, images or graphics) on the label elsewhere than in the list of ingredients, the blend must bear the following text: ‘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.
This requirement only applies if the blend contains more than 50% of olive oil (olive-pomace oil).

Organic olive oil
Above all, EU consumers prefer foods that are safe. Nowadays, an increasing number of EU consumers also prefer food products that are produced and processed by natural methods. Organic olive oil is a product that can meet both needs, while at the same time it could provide higher prices to producers.
To market organic olive oil to the EU, you have to use organic production methods which are approved by the EU. Furthermore, you have to use these production methods for at least two years before you can market them as organic. In addition, you (or your EU importer) must apply for an import authorisation from EU organic control bodies. More information can be found in the CBI document ‘EU legislation: Organic production and labelling’.

Supply chain management

3 Community here refers to the EU.

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Please note that your company is also part of a supply chain and therefore your EU buyer might set requirements related to his supply chain management. You might have to pass on some requirements to your supplier as well in order to fulfil the requirements of the EU markets. More information can be found in the CBI document ‘Supply chain management’.

### Related documents

Please find below an overview of other legislative and non-legislative requirements that are of relevance. Some of the requirements are shortly highlighted in this document. More details however, can be found in the CBI database under the following document titles:

#### Legislation:
- EU legislation: General Food Law
- EU legislation: Maximum level for erucic acid in oils and fats
- EU legislation: Food labelling
- EU legislation: Organic production and labelling

#### Non-legislation:
- Supply chain management

Last updated: October 2011

This document was compiled for CBI by CREM B.V.

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