

PRESIDENTIAL DECREE No 61

“Conditions and procedure for recognising appellation of origin of olive-oils”

THE PRESIDENT OF THE HELLENIC REPUBLIC

Having regard to:

1. The provisions:
 - a) of par. 8 & 6 of article 11, Law 2040/1992 concerning “Regulation of issues within the competence of the Ministry of Agriculture and legal bodies supervised thereof, as well as other provisions” (A’ 70)
 - b) of article 27 of Law 2081/1992 concerning the “Regulation of the institution governing Chambers, amendment of provisions of L. 1712/1987 concerning the modernisation of professional unions of merchants, crafters and other professionals, as well as other provisions (A’ 154)
2. The Decision N. 1950/10.12.92 of the Prime Minister and the Minister of Agriculture, concerning “the delegation of authority from the Minister of Agriculture to the Deputy Ministers of Agriculture, Mr. Apostolos Stavrou, Evangelos Bassiakos and Andreas Karagounis” (B’ 728)
3. The fact that under the provisions of the present decree, no expenditure is to the charge of the state budget
4. The judgement No 529/1992 of the State Council, following the proposal of the Deputy Minister of Agriculture, we decide:

Article 1 Definitions

To give effect to the present decree, the following terms should have the respective meaning:

- a) Geographical name of region: the formal name of the region or the specific place used for the description of olive-oil, as well as the traditionally used name of a region or a specific place.
- b) Group: each olive – oil producers’ processors’ and packers’ organisation irrespective of its legal status or constitution.
- c) Excellent virgin olive – oil: olive – oil as formally defined in the context of the national and community legislation.
- d) Virgin olive – oil: olive – oil, as formally defined in the context of the national and community legislation.

Article 2 Procedure of recognition

1. The recognition of “Protected Appellation of Origin” or “Protected Geographical Indications” is fulfilled following a group’s application.
In case there’s no group in a certain region, or in case the existing group does not submit any relevant application within 3 months from the publication of the present decree, an application for recognition can be submitted by any natural or legal person having any legal economic interest (olive-tree cultivators, oil-millers, oil-standardizers or oil-packers).
2. This application should include the following information:
 - a) Full particulars about the applicant (name – surname or tradename, address, etc.).
 - b) The geographical name and the category for which the recognition is asked for (Protected Appellation of Origin or Protected Geographical Indication).

c) The geographical zone of origin and processing of olive crop. This zone will be specified on the basis of data laid down in the Oleicultural Register and in case such data do not exist, it will be specified on the basis of the administrative boundaries of Communes, Municipalities, Districts or Nomos. On the map, the recommended zone will be to a scale of 1: 50,000.

d) The olive variety(ies) used traditionally for oil production.

e) The cultivation practices and olive collection methods.

f) The soil and climate conditions of the region, the produce of which calls for recognition of a Protected Appellation of Origin or Protected Geographical Indication.

g) The quality characteristics of olive, as well as its transport, packing and treatment methods.

h) The quality characteristics of the final product and typical characteristics in the case of olive-oil under Protected Appellation of Origin (physical, chemical and tasting properties) which are due to natural or artificial factors of the region.

i) Declaration of the applicant, stating that he assumes the responsibility of cooperating with the competent services of the Ministry of Agriculture to proceed to relevant control.

3. The applications should be submitted to the competent Directorate for Agriculture. If the zone, for which recognition of appellation of origin is asked, falls within the competence of more than one Directorate for Agriculture, this application is submitted to all the respective Directorates for Agriculture concerned.

The Directorate for Agriculture, after having checked the information contained in the application, sends it to the competent central service of the Ministry of Agriculture, stating clearly its comments, together with the relevant aspects of the other oleicultural bodies of the region having legal economic interests.

4. The recognition of "Protected Appellation of Origin" for Excellent Virgin Olive-oil or the recognition of "Protected Geographical Indication" for virgin Olive-oil is effected through a Decision signed by the Minister of Agriculture which is published in the Official Gazette.

Article 3

Basic conditions of Recognition

1. In order to characterize a toponym as of "a protected appellation of origin" or "protected geographical indication" for a specific type of olive-oil, there should be the following conditions:

a) This olive-oil type should be produced by selected varieties of olives for oil, cultivated in a specific oleicultural zone of the region, whose toponym is recommended as an appellation of origin.

b) the delineation of the oleicultural zone should be feasible, following objective criteria, as well as the exclusion of unsuitable soils within this zone.

c) The variety or varieties of olives should be used traditionally for the specific oil type, while this olive-oil should be well known with complimentary remarks at least in the internal market.

d) Olives should be carried from the olive-grove to the olive-mill immediately after their collection in:

aa) plastic cages, similar to those used for the collection of table olives.

bb) small-sized bags up to 50 kgr made of vegetable materials, which allow proper ventilation of olives, so as to ensure good quality of the final product.

e) The oil produce should be either "excellent virgin oil" or "virgin oil", without any technological treatment that changes its physical and chemical structure, as laid down in Regulation (EEC) 356/92 of the Council of 10/2/1992 "amending Reg. 136/66/EEC" concerning "common organisation of the market in the sector of fats and oils" (EE L 39), as well as the directives of the International Olive-Oil Council.

f) The olive processing and oil preservation should be carried out in units with stainless mechanical equipment, where both stainless rooms are available for technological treatment and stainless covered areas for stockeing. More specifically, the various parts of the mechanical equipment, pipes, tanks and containers coming into contact with the oil and the olive-past should be made of stainless steel.

In addition, such care should be also taken by standardizers both in the course of oil transportation to the standardisation units and in the course of its preservation and bottling.

The second paragraph of this case comes into effect three years after the publication of the present decree in the Official Gazette.

- g) Olive fruit fly control should be effected by bait sprays applied from the ground or by biological treatment.
 - h) The temperature of extracts and olive-paste during pulping should not exceed 32 C.
 - i) Control of oil of appellation of origin should be feasible and easy at all stages of its production and marketing.
 - j) The oil produce should acquire the characteristic qualitative tasting properties or typical features in the case of protected appellation of origin.
2. The protected appellation of origin and the protected geographical indications for olive-oil are recognised and protected, provided that the conditions laid down in article 11, Law 2040/1992 and the present decree are fulfilled.

Article 4

Special conditions of recognition and protection

1. Person interested in producing olive-oil under “Protected Appellation of Origin” or “Protected Geographical Indication” should submit a relevant application to the competent Directorate for Agriculture for each marketing year, at least fifteen (15) days before the beginning of delivery of the olive, crop.

This application should contain at least the name/surname or the trade-name of the company, the address of the oil-mill, as well as the possible date of the beginning and completion of the olive-crop delivery, provided that delivery does not start earlier or finishes later than the dates stated.

Persons intending to produce olive-oil under “Protected Appellation of Origin” or “Protected Geographical Indication” for the first time, should submit, together with the application referred to in the previous paragraph, a formal declaration stating that they are in compliance with the conditions laid down in articles 2 and 3 of the present decree.

The competent Directorate for Agriculture should then justifiably decide on the submitted applications.

2. Olive-oil producers under “Protected Appellation of Origin” or “Protected Geographical Indication” should keep full particulars concerning the olive origin by olive-cultivator. Price-lists or weight-lists of olive-crop delivery should mention at least: identity data of olive-cultivator (name-surname, address), region of origin of olive-crop, varieties, weight etc.

These data are kept for a five-year period and should be presented whenever requested by the competent control bodies.

3. The oil produce is stored into stainless tanks, on which full particulars for its identification should be labelled, under the technical directions of the competent supervising Agricultural Directorate.

4. Persons employed in oil production under protected appellation of origin or protected geographical indication should keep a register containing all information, so that control of these products be effected. Relevant books should be also kept by bottlers – packers – stores of oils of appellation of origin.

These registers are kept for a five-year period and should be presented at any request by the competent control bodies.

A decision signed by the Minister of Agriculture determines the exact type of registers and the way of keeping data.

5. The transportation of oils of appellation of origin in bulk within the zone is permitted following a licence given by the competent Directorate for Agriculture, after a relevant application of the interested party.

6. Persons employed in production – standardization – packing – storage of oils of appellation of origin are obliged to submit to the competent Directorate for Agriculture a declaration of oil stocks of previous years by category. This declaration is submitted for the existing stocks on October 31 of each calendar year.

7. Each oil producer under Protected Appellation of Origin or Protected Geographical Indication should submit a production declaration to the competent Directorate for Agriculture. This production declaration is submitted immediately after the end of harvesting and processing of the olive crop within the determined zone and should contain the processed olive crop quantity by municipality or commune of origin as well as the oil produce by category.

8. Without prejudice to general and specific provisions, the following information should be marked on the labels or containers for oils under “Protected Appellation of Origin” or “Protected Geographical Indication”:

- a) the kind of oil (“virgin oil” or “excellent virgin oil”, where appropriate),
- b) the geographical name (toponym) of origin,
- c) the category of appellation of origin: “Protected Appellation of Origin” or “Protected Geographical Indication” where appropriate.
- d) full particulars of the standardizers – packers (name-surname or trade-name, address),
- e) the content in litres or cgs, under the provisions into force,
- f) the control data, consisting of the two first letters of the appellation of origin or the geographical indication, followed by the serial number of the label and the two last numbers of the production year (e.g. KA-000.795/92). The control data are written under the responsibility of the bottler – standardizer, following a written licence of the competent Directorate for Agriculture, which keeps a special control – supervision book by bottler – standardizer.

The above data are marked on a logotype, as per the attached annex, 5cm in length and 0.7 cm in height, red in the case of oil under Protected Appellation of Origin and blue in the case of oil under Protected Geographical Indication. The data should be written in black. Especially in the case of “excellent virgin oil” the logotype should be encircled by a white line of 0.3 cm in width.

The logotype is marked horizontally directly on the label or the container, together with the particulars written obligatorily.

The logotype can be also marked on a special tape which is affixed as above and should be destroyed immediately after its detachment.

Data as per cases b and c are written at least in the Greek language with identical letters.

The letter size for all indications marked on the labels or other containers should be smaller by 70% as compared to the size of figures written as per cases b and c.

9. All trademarks used for other oils should in no case be used for oils under Protected Appellation of Origin or Protected Geographical Indication.

10. Data as per a, b and c of par. 8 should be written obligatorily in the course of the promotion of oils under Protected Appellation of Origin or Protected Geographical Indications. They should be also mentioned in every accompanying document during transportation (invoices, dispatch notes, customs documents, etc.).

11. Before being sold, oils under Protected Appellation of origin or Protected Geographical Indication are checked for their tasting properties, ie. that they are in compliance with the qualitative and typical specification of their category.

12. oils under “Protected Appellation of Origin” or “Protected Geographical Indications” are also governed by the general and specific provisions of the legislation into force, as regards issues not being regulated by the present decree.

13. The application procedures of the present decree are supervised by the competent services of the Ministry of Agriculture.

Article 5

Annex

The Annex quoted herebelow constitutes an integral part of the present decree:

ANNEX

The logotype (script) consists of the two first letters of the appellation of origin or the geographical indication, followed by the serial number of the label and the two last numbers of the production year.

Example: For an oil under Protected Appellation of Origin or Protected Geographical Indication produced in Kalamata – Nomos of Messinia, the logotype should be: KA 000 795/92

Article 6
End of validity

The provision of the present decree cease to be in force after the entry into force of the Council Regulation (EEC) 2081/92 of 14/7/92 "concerning the protection of geographical indications and appellations of origin of agricultural products and food" (L 208).

The Deputy Minister of Agriculture should proceed to the publication and application of the present decree.

Athens, March 9, 1993

The President of the Hellenic Republic
Constantinos Karamanlis

The Deputy Minister of Agriculture
Andreas Karagounis