

**L.N. 426 of 2020****PRODUCT SAFETY ACT  
(CAP. 427)****Olive Oil (Marketing Standards) (Implementing) Regulations, 2020**

IN EXERCISE of the powers conferred by articles 38 and 39 of the Product Safety Act, the Minister responsible for Tourism and Consumer Protection, on the advice of the Director General (Technical Regulations), has made the following regulations:-

1. The title of these regulations is the Olive Oil (Marketing Standards) (Implementing) Regulations, 2020. Citation.
2. These regulations implement the requirements of Commission Implementing Regulation (EU) No 29/2012 of 13 January 2012 on marketing standards for olive oil and 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. Scope.
3. In these regulations, unless the context otherwise requires: Interpretation.
  - "the Act" means the Product Safety Act; Cap. 427.
  - "Director General" means the Director General (Technical Regulations) appointed by article 19 of the Malta Competition and Consumer Affairs Authority Act; Cap. 510.
  - "Regulation (EU) No 29/2012" means Commission Implementing Regulation (EU) No 29/2012 of 13 January 2012 on marketing standards for olive oil;
  - "Regulation (EEC) No 2568/91" means 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.
4. For the purposes of the second paragraph of Article 2 of Regulation (EU) No 29/2012, oils referred to in Article 1(1) of Regulation (EU) No 29/2012 intended for consumption in restaurants, hospitals, canteens and other similar collective establishments, may be packaged in packaging of up to a maximum of two hundred and fifty (250) litres. Packaging of oils intended for collective establishments.
5. For the purposes of Regulation (EEC) No 2568/91, the Director General shall ensure that conformity checks are carried out Conformity checks.

selectively, based on a risk analysis, and with appropriate frequency, so as to ensure that the olive oil marketed is consistent with the category declared.

Data sharing.

**6.** (1) The Director General shall have the power to request from any person whether legal or natural, any agency, entity, body or office, whether public or private any information or data he deems necessary for the proper implementation of Regulation (EEC) No 2568/91 or Regulation (EU) No 29/2012.

(2) Any person whether legal or natural and any agency, entity, body or office, whether public or private who is requested by the Director General to provide the information or data referred to in the preceding sub-regulation shall provide such information or data free of any charge or consideration and within ten (10) working days from the date of the request.

Cap. 586.

(3) The sharing of data and information as provided for by this regulation shall be regarded as activities that are carried out in the public interest for the purposes of the Data Protection Act.

Functions and powers of the Director General.

**7.** For the purposes of enforcement of the provisions of these regulations the Director General shall have the same functions and powers prescribed under the Act.

Proceedings and penalties.

**8.** Part IV of the Act shall apply to proceedings in relation to any offence under these regulations and the penalties prescribed therein shall apply to offences under these regulations.

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