



2023/2464

8.11.2023

COMMISSION DELEGATED REGULATION (EU) 2023/2464

of 17 August 2023

amending Regulation (EU) No 1308/2013 of the European Parliament and of the Council, as regards marketing standards for eggs

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 78(3) thereof,

Whereas:

- (1) In its communication of 20 May 2020 entitled 'A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system' ⁽²⁾, the Commission has announced, among others, that it will revise marketing standards to provide for the uptake and supply of sustainable agricultural products and to reinforce the role of sustainability criteria taking into account the possible impact of these standards on food loss and waste.
- (2) Part VI of Annex VII to Regulation (EU) No 1308/2013 sets out definitions, designations and sales description for eggs of hens of the *Gallus gallus* species.
- (3) Regulation (EU) No 1308/2013 allows for marking eggs at the production site or at the first packing centre to which eggs are delivered. This implies a certain risk of false marking, unintended or intended, as eggs from different farms and production systems can get mixed and mislabelled. Moreover, in the case of food safety incidents this could lead to problems of traceability. In the light of increasing consumer demand, traceability rules should be strengthened. Technical progress made a wide range of marking technology available at farm level.
- (4) Marking eggs should therefore take place only at the production site. However, account should be taken to the fact that several Member States already developed efficient marking systems at the level of packing centres. Therefore, Member States should be allowed to exempt eggs from marking at the production site when it is carried out in the first packing centre to which eggs are delivered, as long as this exemption is proportionate, non-discriminatory and does not undermine the objective of traceability of the eggs.
- (5) In order to give Member States sufficient time to adjust national legislation this Regulation should start to apply only 12 months after its publication.
- (6) Regulation (EU) No 1308/2013 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Point III of Part VI of Annex VII to Regulation (EU) No 1308/2013 is amended as follows:

(1) point 2 is replaced by the following:

'2. The marking of eggs in accordance with point 1 shall take place at the production site.';

(2) the following point 2a is inserted:

'2a. Member States may, based on objective criteria, exempt eggs from the requirement laid down in point 2 when the marking is carried out in the first packing centre to which eggs are delivered.'

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ COM(2020) 381 final.

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 apply from 8 November 2024.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 17 August 2023.

For the Commission
The President
Ursula VON DER LEYEN
