

## COMMISSION IMPLEMENTING DECISION

of 25 November 2013

**amending Decision 2009/861/EC on transitional measures under Regulation (EC) No 853/2004 of the European Parliament and of the Council as regard the processing of non-compliant raw milk in certain milk processing establishments in Bulgaria**

*(notified under document C(2013) 8031)***(Text with EEA relevance)**

(2013/686/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin <sup>(1)</sup>, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 853/2004 lays down specific rules on the hygiene of food of animal origin for food business operators. Those rules include hygiene requirements for raw milk and dairy products.
- (2) Commission Decision 2009/861/EC <sup>(2)</sup> provides for certain derogations from the requirements set out in Subchapters II and III of Chapter I of Section IX of Annex III to Regulation (EC) No 853/2004 for the milk processing establishments in Bulgaria listed in that Decision. That Decision applies until 31 December 2013.
- (3) Accordingly, certain milk processing establishments listed in Annex I to Decision 2009/861/EC may, by way of derogation from the relevant provisions of Regulation (EC) No 853/2004, process compliant and non-compliant milk provided that the processing of compliant and non-compliant milk is carried out on separate production lines. In addition, certain milk processing establishments listed in Annex II to that Decision may process non-compliant milk without separate production lines.
- (4) Bulgaria sent to the Commission a revised and updated list of those milk processing establishments on 12 August 2013.
- (5) In that list, the establishments listed at No 1 (BG 0412010 'Bi Si Si Handel' OOD), No 4 (BG 2012020

'Yotovi' OOD) and No 5 (BG 2512020 'Mizia-Milk' OOD) of the table set out in Annex I to Decision 2009/861/EC have been deleted, as they are now authorised to process only compliant milk to be placed on the intra-Union market.

- (6) In addition, four establishments currently listed in Annex II to Decision 2009/861/EC have been deleted as they are authorised to place dairy products on the intra-Union market, since they are using only compliant milk. Those establishments were listed in the table in Annex II to Decision 2009/861/EC at No 8 (1312023 'Inter-D' OOD), No 71 (BG 2512001 'Mladost-2002' OOD), No 91 (BG 2012019 'Hemus-Milk komers' OOD) and No 95 (2712005 'Nadezhda' OOD).
- (7) In addition, Bulgaria has informed the Commission that, since the date Decision 2009/861/EC took effect, the proportion of raw milk that complies with the requirements of Regulation (EC) No 853/2004, delivered to milk processing establishments in that Member State, has considerably increased. Bulgaria has also established an action plan aimed at covering the entire production chain of milk in that Member State ensuring compliance with Union rules.
- (8) However, according to the reports submitted by Bulgaria on the basis of Article 5 of Decision 2009/861/EC and to the information provided to the Commission by that Member State on 1 August 2013, the milk sector in Bulgaria is still not entirely in conformity with the requirements laid down in Regulation (EC) No 853/2004.
- (9) Considering the efforts made by Bulgaria to bring the milk sector in compliance with the Union rules, with a constant diminution of farms producing non-compliant milk since 2009, it is appropriate to extend the application of the measures provided for in Decision 2009/861/EC until 31 December 2015.
- (10) Bulgaria should provide regular updates to the Commission on the progress made in order to demonstrate that the target of compliance with the Union criteria can be achieved before the end of the period of application of Decision 2009/861/EC, as extended by this Decision.

<sup>(1)</sup> OJ L 139, 30.4.2004, p. 55.

<sup>(2)</sup> OJ L 314, 1.12.2009, p. 83.

(11) Decision 2009/861/EC should therefore be amended accordingly.

(12) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

#### *Article 1*

Decision 2009/861/EC is amended as follows:

(1) in Article 2, the date '31 December 2013' is replaced by '31 December 2015';

(2) in Article 3, the date '31 December 2013' is replaced by '31 December 2015';

(3) the following Article 4a is inserted:

##### *'Article 4a*

1. Bulgaria shall take appropriate measures to ensure that the number of holdings producing non-compliant milk is reduced as follows:

(a) before 30 November 2014, by at least 30 % as compared to the number of such holdings registered on 1 September 2013;

(b) before 31 May 2015, by at least 60 % as compared to the number of such holdings registered on 1 September 2013.

2. In case Bulgaria does not meet the targets for the reduction of the number of holdings referred to in paragraph 1, the Commission shall adopt appropriate measures.;

(4) Article 5 is replaced by the following:

##### *'Article 5*

1. Bulgaria shall submit reports to the Commission on the measures taken in accordance with Article 4a(1) and the progress made in bringing the following in compliance with Regulation (EC) No 853/2004:

(a) production holdings producing non-compliant milk;

(b) the system for collecting and transporting non-compliant milk.

The reports for 2014 shall be submitted to the Commission by 30 June and 31 December 2014, at the latest, and the reports for 2015 by 31 May and 31 October 2015, at the latest.

The reports shall be submitted in the form set out in Annex III.

2. The Commission shall closely monitor the progress in bringing the raw milk processed by the establishments listed in Annexes I and II in compliance with the requirements laid down in Regulation (EC) No 853/2004.;

(5) in Article 6, the date '31 December 2013' is replaced by '31 December 2015';

(6) Annexes I and II are replaced by the text in the Annex to this Decision.

#### *Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 25 November 2013.

*For the Commission*

Tonio BORG

*Member of the Commission*

## ANNEX

## ‘ANNEX I

**List of milk establishments permitted to process compliant and non-compliant milk as referred to in Article 2**

| No | Veterinary No | Name of establishment         | Town/Street or Village/Region        |
|----|---------------|-------------------------------|--------------------------------------|
| 1  | BG 0612027    | “Mlechen ray-2” EOOD          | gr. Vratsa<br>kv. “Bistrets”         |
| 2  | BG 0612043    | ET “Zorov-91 — Dimitar Zorov” | gr. Vratsa<br>Mestnost “Parshevitsa” |
| 3  | BG 2112001    | “Rodopeya — Belev” EOOD       | Ul. “Trakya” 20 Smolyan              |
| 4  | BG 1212001    | “S i S-7” EOOD                | gr. Montana<br>“Vrachansko shose” 1  |
| 5  | BG 2812003    | “Balgarski yogurt” OOD        | s. Veselinovo,<br>obl. Yambolska     |

## ANNEX II

**List of milk processing establishments permitted to process non-compliant milk as referred to as referred to in Article 3**

| No | Veterinary No | Name establishment                   | Town/Street or Village/Region         |
|----|---------------|--------------------------------------|---------------------------------------|
| 1  | BG 2412037    | "Stelimeks" EOOD                     | s. Asen                               |
| 2  | 0912015       | "Anmar" OOD                          | s. Padina<br>obsht. Ardino            |
| 3  | 0912016       | OOD "Persenski"                      | s. Zhaltusha<br>obsht. Ardino         |
| 4  | 1012014       | ET "Georgi Gushterov DR"             | s. Yahinovo                           |
| 5  | 1012018       | "Evro miyt end milk"<br>EOOD         | gr. Kocherinovo<br>obsht. Kocherinovo |
| 6  | 1112017       | ET "Rima-Rumen Borisov"              | s. Vrabevo                            |
| 7  | 1612049       | "Alpina-Milk" EOOD                   | s. Zhelyazno                          |
| 8  | 1612064       | OOD "Ikay"                           | s. Zhitnitsa<br>obsht. Kaloyanovo     |
| 9  | 2112008       | MK "Rodopa milk"                     | s. Smilyan<br>obsht. Smolyan          |
| 10 | 2412039       | "Penchev" EOOD                       | gr. Chirpan<br>ul. "Septemvriytsi" 58 |
| 11 | 2512021       | "Keya-Komers-03" EOOD                | s. Svetlen                            |
| 12 | 0112014       | ET "Veles-Kostadin Velev"            | gr. Razlog<br>ul. "Golak" 14          |
| 13 | 2312041       | "Danim-D.Stoyanov"<br>EOOD           | gr. Elin Pelin<br>m-st Mansarovo      |
| 14 | 0712001       | "Ben Invest" OOD                     | s. Kostenkovtsi<br>obsht. Gabrovo     |
| 15 | 1512012       | ET "Ahmed Tatarla"                   | s. Dragash voyvoda,<br>obsht. Nikopol |
| 16 | 2212027       | "Ekobalkan" OOD                      | gr. Sofia<br>bul "Evropa" 138         |
| 17 | 2312030       | ET "Favorit-D.Grigorov"              | s. Aldomirovtsi                       |
| 18 | 2312031       | ET "Belite kamani"                   | s. Dragotintsi                        |
| 19 | BG 1512033    | ET "Voynov-Ventsislav<br>Hristakiev" | s. Milkovitsa<br>obsht. Gulyantsi     |
| 20 | BG 1512029    | "Lavena" OOD                         | s. Dolni Dębnik<br>obl. Pleven        |
| 21 | BG 1612028    | ET "Slavka Todorova"                 | s. Trud<br>obsht. Maritsa             |
| 22 | BG 1612051    | ET "Radev-Radko Radev"               | s. Kurtovo Konare<br>obl. Plovdiv     |

| No | Veterinary No | Name establishment                          | Town/Street or Village/Region            |
|----|---------------|---------------------------------------------|------------------------------------------|
| 23 | BG 1612066    | "Lakti ko" OOD                              | s. Bogdanitza                            |
| 24 | BG 2112029    | ET "Karamfil Kasakliev"                     | gr. Dospat                               |
| 25 | BG 0912004    | "Rodopchanka" OOD                           | s. Byal izvor<br>obsht. Ardino           |
| 26 | 0112003       | ET "Vekir"                                  | s. Godlevo                               |
| 27 | 0112013       | ET "Ivan Kondev"                            | gr. Razlog<br>Stopanski dvor             |
| 28 | 0212037       | "Megakomers" OOD                            | s. Lyulyakovo<br>obsht. Ruen             |
| 29 | 0512003       | SD "LAF-Velizarov i sie"                    | s. Dabravka<br>obsht. Belogradchik       |
| 30 | 0612035       | OOD "Nivego"                                | s. Chiren                                |
| 31 | 0612041       | ET "Ekoprodukt-Megiya-Bogorodka Dobrilova"  | gr. Vratsa<br>ul. "Ilinden" 3            |
| 32 | 0612042       | ET "Mlechen puls-95 —<br>Tsvetelina Tomova" | gr. Krivodol<br>ul. "Vasil Levski"       |
| 33 | 1012008       | "Kentavar" OOD                              | s. Konyavo<br>obsht. Kyustendil          |
| 34 | 1212031       | "ADL" OOD                                   | s. Vladimirovo<br>obsht. Boychinovtsi    |
| 35 | 1512006       | "Mandra" OOD                                | s. Obnova<br>obsht. Levski               |
| 36 | 1512008       | ET "Petar Tonovski-Viola"                   | gr. Koynare<br>ul. "Hr.Botev" 14         |
| 37 | 1512010       | ET "Militsa Lazarova-90"                    | gr. Slavyanovo,<br>ul. "Asen Zlatarev" 2 |
| 38 | 1612024       | SD "Kostovi — EMK"                          | gr. Saedinenie<br>ul. "L.Karavelov" 5    |
| 39 | 1612043       | ET "Dimitar Bikov"                          | s. Karnare<br>obsht. "Sopot"             |
| 40 | 1712046       | ET "Stem-Tezdzhan Ali"                      | gr. Razgrad<br>ul. "Knyaz Boris" 23      |
| 41 | 2012012       | ET "Olimp-P.Gurtsov"                        | gr. Sliven<br>m-t "Matsulka"             |
| 42 | 2112003       | "Milk-inzhenering" OOD                      | gr.Smolyan<br>ul. "Chervena skala" 21    |
| 43 | 2112027       | "Keri" OOD                                  | s. Borino,<br>obsht. Borino              |
| 44 | 2312023       | "Mogila" OOD                                | gr. Godech,<br>ul. "Ruse" 4              |
| 45 | 2512018       | "Biomak" EOOD                               | gr. Omurtag<br>ul. "Rodopi" 2            |
| 46 | 2712013       | "Ekselans" OOD                              | s. Osmar,<br>obsht. V. Preslav           |

| No | Veterinary No | Name establishment                    | Town/Street or Village/Region         |
|----|---------------|---------------------------------------|---------------------------------------|
| 47 | 2812018       | ET "Bulmilk-Nikolay Nikolov"          | s. General Inzovo, obl. Yambolska     |
| 48 | 2812010       | ET "Mladost-2-Yanko Yanev"            | gr. Yambol, ul. "Yambolen" 13         |
| 49 | BG 1012020    | ET "Petar Mitov-Universal"            | s. Gorna Grashitsa obsht. Kyustendil  |
| 50 | BG 1112016    | Mandra "IPZHZ"                        | gr. Troyan ul. "V.Levski" 281         |
| 51 | BG 1712042    | ET "Madar"                            | s. Terter                             |
| 52 | BG 0912011    | ET "Alada-Mohamed Banashak"           | s. Byal izvor obsht. Ardino           |
| 53 | 1112026       | "ABLAMILK" EOOD                       | gr. Lukovit ul. "Yordan Yovkov" 13    |
| 54 | 1312005       | "Ravnogor" OOD                        | s. Ravnogor                           |
| 55 | 1712010       | "Bulagrotreyd-chastna kompaniya" EOOD | s. Yuper Industrialen kvartal         |
| 56 | 2012011       | ET "Ivan Gardev 52"                   | gr. Kermen ul. "Hadzhi Dimitar" 2     |
| 57 | 2012024       | ET "Denyo Kalchev 53"                 | gr. Sliven ul. "Samuilovsko shose" 17 |
| 58 | 2112015       | OOD "Rozhen Milk"                     | s. Davidkovo, obsht. Banite           |
| 59 | 2112026       | ET "Vladimir Karamitev"               | s. Varbina obsht. Madan               |
| 60 | 2312007       | ET "Agropromilk"                      | gr. Ihtiman ul. "P.Slaveikov" 19      |
| 61 | BG 1812008    | "Vesi" OOD                            | s. Novo selo                          |
| 62 | BG 2512003    | "Si Vi Es" OOD                        | gr. Omurtag Promishlena zona          |
| 63 | BG 2612034    | ET "Elikvir-Petko Petev"              | s. Gorski izvor                       |
| 64 | 0812030       | "FAMA" AD                             | gr. Dobrich bul. "Dobrudzha" 2        |
| 65 | 0912003       | "Koveg-mlechni produkti" OOD          | gr. Kardzhali Promishlena zona        |
| 66 | 1412015       | ET "Boycho Videnov — Elbokada 2000"   | s. Stefanovo obsht. Radomir           |
| 67 | 1712017       | "Diva 02" OOD                         | gr. Ispirih ul. "An.Kanchev"          |
| 68 | 1712037       | ET "Ali Isliamov"                     | s. Yasenovets                         |
| 69 | 1712043       | "Maxima milk" OOD                     | s. Samuil                             |
| 70 | 2012010       | "Saray" OOD                           | s. Mokren                             |
| 71 | 2012032       | "Kiveks" OOD                          | s.Kovachite                           |

| No | Veterinary No | Name establishment                           | Town/Street or Village/Region               |
|----|---------------|----------------------------------------------|---------------------------------------------|
| 72 | 2012036       | "Minchevi" OOD                               | s. Korten                                   |
| 73 | 2212009       | "Serdika-94" OOD                             | gr. Sofia<br>kv. Zheleznitza                |
| 74 | 2312028       | ET "Sisi Lyubomir Semkov"                    | s. Anton                                    |
| 75 | 2312033       | "Balkan spetsial" OOD                        | s. Gorna Malina                             |
| 76 | 2312039       | EOD "Laktioni"                               | s. Ravno pole,<br>obl. Sofiyska             |
| 77 | 2412040       | "Inikom" OOD                                 | gr. Galabovo<br>ul. "G.S.Rakovski" 11       |
| 78 | 2512011       | ET "Sevi 2000-Sevie Ibryamova"               | s. Krepcha<br>obsht. Opaka                  |
| 79 | 2612015       | ET "Detelina 39"                             | s. Brod                                     |
| 80 | 2812002       | "Arachievi" OOD                              | s. Kirilovo,<br>obl. Yambolska'             |
| 81 | BG 1612021    | ET "Deni-Denislav<br>Dimitrov-Ilias Islamov" | s. Briagovo<br>obsht. Gulyantsi             |
| 82 | 2012008       | "Raftis" EOD                                 | s. Byala                                    |
| 83 | 2112023       | ET "Iliyan Isakov"                           | s. Trigrad<br>obsht. Devin                  |
| 84 | 2312020       | "MAH 2003" EOD                               | gr. Etropole<br>bul. "Al. Stamboliyski" 21' |