

**Legislative Regulation
Review Committee**

2007-072a

Department of Consumer Protection

STANDARDS OF IDENTITY FOR OLIVE OIL

**STATE OF CONNECTICUT
REGULATION
OF
DEPARTMENT OF CONSUMER PROTECTION
CONCERNING
STANDARDS OF IDENTITY FOR OLIVE OIL**

The Regulations of Connecticut State Agencies are amended by adding sections 21a-100-7 thru 21a-100-10, inclusive, as follows:

(NEW) Section 1. Section 21a-100-7. Statement of purpose and scope.

This standard applies to olive oil and olive-pomace oil presented and sold for human consumption in intrastate commerce in the state of Connecticut.

(NEW) Sec. 2. Section 21a-100-8. General definitions. As used in sections 21a-100-7 to 21a-100-10, inclusive of the Regulations of Connecticut State Agencies:

(1) "IOC" means the International Olive Council, an international voluntary consensus trade organization formed for the development of standards on characteristics and performance of olive products and the promotion of trade and knowledge related to the accurate and honest presentation of such products.

(2) "Olive oil" means the olive oil obtained solely from the fruit of the olive tree (*Olea Europaea L.*), to the exclusion of oils obtained using solvents or re-esterification processes and of any mixture with oils of other kinds.

(3) "Olive oil," for the purpose of product labeling, means oil consisting of a blend of refined olive oil, and virgin olive oils fit for consumption as they are. It has a free acidity, expressed as oleic acid, of not more than 1 gram per 100 grams and its other characteristics correspond to those fixed for this category in sections 21a-100-7 to 21a-100-10, inclusive, of the Regulations of Connecticut State Agencies.

(4) "Olive-pomace oil," for the purpose of product labeling, means oil obtained by treating olive pomace with solvents or other physical treatments, to the exclusion of oils obtained by re-esterification processes and of any mixture with oils of other kinds.

(5) "Refined olive oil," for the purpose of product labeling, means the olive oil obtained from virgin olive oils by refining methods which do not lead to alterations in the initial glyceridic structure. It has a free acidity, expressed as oleic acid, of not more than 0.3 grams per 100 grams and its other characteristics correspond to those fixed for this category in sections 21a-100-7 to 21a-100-10, inclusive of the Regulations of Connecticut State Agencies.

(6) "Virgin olive oil," for the purpose of product labeling, means those oils obtained from the fruit of the olive tree solely by mechanical or other physical means under conditions, particularly thermal conditions, that do not lead to alterations in the oil, and which have not undergone any treatment other than washing, decanting, centrifuging and filtration. Virgin olive oils fit for consumption as they are include:

(A) "Extra virgin olive oil," which means virgin olive oil which has a free acidity, expressed as oleic acid, of not more than 0.8 grams per 100 grams, and the other characteristics of which correspond to those fixed for this category in sections 21a-100-7 to 21a-100-10, inclusive of the Regulations of Connecticut State Agencies.

(B) "Virgin olive oil," which means virgin olive oil which has a free acidity, expressed as oleic acid, of not more than 2 grams per 100 grams and the other characteristics of which correspond to those fixed for this category in sections 21a-100-7 to 21a-100-10, inclusive of the Regulations of Connecticut State Agencies.

(C) "Ordinary virgin olive oil," which means virgin olive oil which has a free acidity, expressed as oleic acid, of not more than 3.3 grams per 100 grams and the other characteristics of which correspond to those fixed for this category in sections 21a-100-7 to 21a-100-10, inclusive of the Regulations of Connecticut State Agencies.

(NEW) Sec. 3. Section 21a-100-9. Food additives.

(a) Virgin olive oils. No additives are permitted in virgin olive oils.

(b) Refined olive oil, olive oil, refined olive-pomace oil and olive-pomace oil. The addition of alpha-tocopherol to such products is permitted to restore natural tocopherol lost in the refining process. The concentration of alpha-tocopherol in the final product shall not exceed 200 mg/kg.

(NEW) Sec. 4. Section 21a-100-10. Standards for olive oil, labeling and administrative provisions.

(a) The Commissioner of Consumer Protection and the Director of The Connecticut Agricultural Experiment Station shall require that olive oil presented and sold for human consumption in intrastate commerce in the state of Connecticut shall meet the International Olive Council standards, COI/T.15/NC no.3/ Rev. 2, entitled "Trade Standard Applying to Olive Oils and Olive-Pomace Oils," as amended from time to time, or the standard of identity for olive oil as adopted by the United States Food and Drug Administration when such standards have been adopted.

(b) A copy of the IOC trade standard applying to olive oils and olive-pomace oils shall be maintained by the department for examination by the public during normal business hours until such time that a standard of identity for olive oil has been adopted by the United States Food and Drug Administration.

(c) Failure to meet the standards required in subsection (a) of this section shall render olive oil sold in intrastate commerce in the state of Connecticut misbranded pursuant to Section 21a-102 of the Connecticut General Statutes.

Statement of Purpose:

(A) These regulations came about in response to the Department of Consumer Protection's investigations concerning olive oil, and the need for enforceable standards of identity as recognized by The Connecticut Agricultural Experiment Station and the Department.

The FDA has also reported on enforcement actions on adulterated olive oil, (combined with soy and other less expensive oils). An enforceable standard of identity would help to protect consumers from such practices and the potential risk of allergic reactions to Connecticut consumers using those products.

(B) This law would adopt by reference the standards for production and labeling of olive oil used by the International Olive Council, www.internationaloliveoil.org.

(C) It is expected that these regulations will help promote the honest and accurate presentation of olive oil for sale in the state of Connecticut, and eliminate potential allergen risks related to adulterated products.

CERTIFICATION
M-39 REV. 1/77

Be it known that the foregoing:

Regulations Emergency Regulations

Are:

Adopted Amended as hereinabove stated Repealed

By the aforesaid agency pursuant to:

Section 4-168 of the General Statutes and
 Sections _____ of the General Statutes, as amended by Public Act. No. ___ of the ___ Public Acts.
 Public Act. No. _____ of the Public Acts.

After publication in the Connecticut Law Journal on April 29, 2008 of the notice of the proposal to:

Adopt Amend Repeal such regulations

(If applicable): And the holding of an advertised public hearing on 11th day of June 2008.

WHEREFORE, the foregoing regulations are hereby:

Adopted Amended as hereinabove stated Repealed

Effective:

When filed with the Secretary of the State.
(OR)

The _____ day of _____.

In Witness Whereof:	DATE <u>8/14/08</u>	SIGNED (Head of Board, Agency or Commission) <i>Jerry Farwell</i>	OFFICIAL TITLE, DULY AUTHORIZED Commissioner
---------------------	------------------------	--	---

Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, C.G.S.:	SIGNED <i>W B M</i>	DATE <u>9/29/08</u>	OFFICIAL TITLE, DULY AUTHORIZED ASSOC. ATTY. GENERAL
---	------------------------	------------------------	---

- Approved
- Disapproved
- Disapproved in part, (Indicate Section Numbers disapproved only)
- Rejected without prejudice.

By the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes	DATE	SIGNED (Clerk of the Legislative Regulation Review Committee)
---	------	---

Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Section 4-172, as amended, of the General Statutes.

DATE	SIGNED (Secretary of the State)	BY
------	---------------------------------	----

INSTRUCTIONS

One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the General Statutes.

Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the General Statutes.

Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the General Statutes.

Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language in capital letters and deleted language in brackets. Section 4-170 of the General Statutes.