

MINISTRY OF AGRICULTURE AND FOOD

Draft

REGULATION

No X

on the requirements for the marketing of eggs

Heading I

General

Article 1. This Regulation lays down:

1. the requirements for the supply, storage, transport, grading, marking and packaging of eggs from hens of the *Gallus gallus* species, and the procedure for carrying out inspections in connection with their placing on the market, with a view to implementing:

1) 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 (OJ L 347, 20.12.2013) (Regulation (EU) No 1308/2013);

2) Commission Delegated Regulation (EU) 2023/2465 of 17 August 2023 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards marketing standards for eggs, and repealing Commission Regulation (EC) No 589/2008 (OJ L 2465, 8.11.2023) (Delegated Regulation (EU) 2023/2465);

3) Commission Implementing Regulation (EU) 2023/2466 of 17 August 2023 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards marketing standards for eggs (OJ L 2466, 8.11.2023) (Implementing Regulation (EU) 2023/2466);

4) Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs (OJ, Special Bulgarian Edition, 2007, Chapter 13, Volume 44);

5) Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules on the hygiene of foodstuffs (OJ, Special Bulgarian Edition, 2007, Chapter 3, Volume 56) (Regulation (EC) No 853/2004);

6) Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 (OJ L 304, 22.11.2011);

7) Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ, Special Bulgarian Edition, 2007, Chapter 15, Volume 8);

2. the procedure for collecting data on the average purchase and sale price of table eggs with a view to the implementation of Commission Implementing Regulation (EU) 2017/1185 of 20 April 2017 laying down rules for the application of Regulations (EU) No 1307/2013 and (EU) No 1308/2013 of the European Parliament and of the Council as regards notifications to the Commission of information and documents and amending and repealing several Commission Regulations (OJ L 171, 4.7.2017) and Commission Implementing Regulation (EU) 2019/1746 of 1 October 2019 amending Implementing Regulation (EU) 2017/1185 laying down rules for the application of Regulations (EU) No 1307/2013 and (EU) No 1308/2013 of the European Parliament and of the Council as regards notifications to the Commission of information and documents (OJ L 268, 22.10.2019).

Heading II

Grading, classification and storage of eggs

Article 2. Eggs shall be graded and categorised in accordance with the requirements of Articles 3, 5 and 6(1) and (2) of Delegated Regulation (EU) 2023/2465.

Article 3. (1) Eggs are stored in accordance with the requirements of Article 4(1) and (2) of Delegated Regulation (EU) 2023/2465 and Section X, Chapter I, point 1 of Annex III to Regulation (EC) No 853/2004.

(2) Until their sale to the final consumer, eggs are stored and transported at optimal constant temperature not exceeding +23.0 °C that helps with the conservation of their quality and hygiene properties.

Article 4. (1) Persons responsible for the storage and transport of eggs draft and apply written procedures for:

1. the conditions for the storage and transport of eggs;
2. the temperature and the permissible tolerance limits;
3. taking corrective measures when temperature or other deviations are found;
4. The hygiene requirements when handling eggs.

(2) The persons referred to in paragraph 1 keep documents and records certifying compliance with the requirements for the storage and transport of eggs.

Heading III

Marking of eggs

Article 5. (1) Class A eggs intended for the market must bear the producer code on the shell within the time limits referred to in Article 6(1) and (2) of Delegated Regulation (EU) 2023/2465.

(2) The producer code consists of 2 letters and 6 digits and is printed in a single line on the eggshell in characters at least 2 mm high.

(3) The producer code is formed from the veterinary registration number of the site in accordance with Article 11(3) of Regulation No 25 of 2005 on the minimum requirements for the humane treatment of laying hens (Published in the State Gazette (SG), issue 42 of 2006) and consists of the digit indicating the farming method, the initials 'BG', the district code and the producer's three-digit serial number as entered in the registers of the Regional Directorates of Food Safety (RDFS).

(4) The requirements of paragraphs 2 and 3 do not apply to eggs produced by sites where breeding hens are reared or where there are between 50 and 350 laying hens, in which case the producer code consists of the digit indicating the rearing method, the initials 'BG' and the specific site number assigned in accordance with Article 21(3) of Regulation No 6 of 2013 on the requirements for the means of official identification of animals and their use, the conditions, procedures and controls governing the collection, entry, maintenance and use of information in the Integrated Information System of the Bulgarian Food Safety Agency (published in the SG, issue 90 of 2013), and must be printed in characters at least 2 mm high.

(5) The requirement referred to in paragraph 1 do not apply to establishments where up to 50 hens are reared provided that the name and address of the producer are indicated at the point of sale.

Article 6. (1) Class B eggs are marked in accordance with Article 9 of Delegated Regulation (EU) 2023/2465 and Part VI, Section III, point 1 of Annex VII to Regulation (EU) No 1308/2013.

(2) The requirements referred to in paragraph 1 may be waived where Class B eggs are offered only on the territory of the country.

(3) Where, for technical reasons, it is not possible to mark soiled or cracked eggs with an intact inner shell membrane, marking with the producer's code is not mandatory, including for deliveries within the European Union (EU).

Article 7. The marking of eggs in accordance with Articles 5 and 6 must be permanent, clear, legible and indelible, using only colouring agents in accordance with the requirements of Article 17 of Regulation (EC) No 1333/2008 of the European

Parliament and of the Council of 16 December 2008 on food additives (OJ L 354, 31.12.2008).

Article 8. (1) The marking of eggs referred to in Articles 5 and 6 is carried out at the production site.

(2) Marking may be carried out at the first packing centre to which the eggs are delivered, provided that the producer has an approved packing centre or has a contract concluded with:

1. a packing centre where the eggs will be marked;
2. a collection centre which will deliver the eggs to the packing centre.

Article 9. Class A eggs must be delivered to the end consumer within 28 days of laying, in accordance with Section X, Chapter I, point 4 of Annex III to Regulation (EC) No 853/2004 and Article 6(3) of Delegated Regulation (EU) 2023/2465.

Article 10. (1) Eggs delivered from the production site directly to a food industry site may not be marked with a producer code in accordance with the requirements of Article 10(1) and (2) of Delegated Regulation (EU) 2023/2465.

(2) In the cases referred to in paragraph 1 the producer must have an approved food industry site or have entered into a supply contract with a food industry site where the eggs are to be processed.

Article 11. (1) Eggs delivered from a production site to a collection centre, a packing centre or a food or non-food industry site situated in another EU Member State are marked with the producer's code before leaving the production site.

(2) The Bulgarian Food Safety Agency (BFSA) may authorise cross-border deliveries of eggs that are not marked with a producer code where:

1. the production site located on the territory of the Republic of Bulgaria has concluded a delivery contract with a packing centre located in another EU Member State for a period of not less than 1 month;
2. the packing centre holds an authorisation issued by the competent authority of the Member State in which it is situated to receive eggs not marked with a producer code.

(3) In the cases referred to in paragraph 2 the production site submits an application to the Bulgarian Food Safety Agency (BFSA) requesting authorisation to carry out cross-border deliveries of eggs not marked with a producer code, to which it attaches:

1. a copy of the delivery contract referred to in paragraph 2(1);
2. a copy of the authorisation referred to in paragraph 2(2) which applies for the duration of the contract concluded between the production site and the packing centre.

(4) Within 5 working days the Bulgarian Food Safety Agency examines the submitted application and issues a written notification authorising or refusing to authorise cross-border deliveries of eggs not marked with a producer code for the duration of the contract.

(5) Before sending the notification authorising the deliveries of eggs, the Bulgarian Food Safety Agency notifies the competent authorities of the Member States concerned - the Member State in which the packing centre is located and the Member States through which the eggs pass in transit.

(6) In cases of cross-border deliveries under paragraph 2, where the production site is located in another EU Member State, the packing centre that will receive the eggs not marked with a producer code in the Republic of Bulgaria submits an application to the BFSA requesting authorisation, to which it attaches the concluded delivery contract.

(7) Within five working days, the Bulgarian Food Safety Agency (BFSA) examines the submitted application and issues a written notification authorising or refusing to authorise the packing centre to receive eggs not marked with a producer code, for the duration of the contract concluded with the production site in the other EU Member State.

Heading IV

Egg packing and marking of egg packs

Article 12. (1) The production site places identification information on each transport packaging containing eggs in accordance with the requirements of Article 7(1) and (3) of Delegated Regulation (EU) 2023/2465.

(2) The information referred to in paragraph 1 may be recorded at the packing centre, provided that the producer has an approved packaging centre located at the production site.

(3) The information referred to in paragraph 1 is also included in the documents accompanying the eggs during transportation, in accordance with the requirements of Article 7(2) of Delegated Regulation (EU) 2023/2465.

Article 13. (1) The transport packaging of ready-to-transport eggs must be tightly closed using tape or stickers that cannot be torn during transport.

(2) Transport packaging, including any additional internal packaging material, may be reused, provided that no traces of previous labelling which could be misleading remain.

Article 14. (1) The packaging of Class A eggs by which they are marketed to the consumer are marked in accordance with Article 11(1) to (4) of Delegated Regulation (EU) 2023/2465.

(2) The marking of packages of Class A, Category Extra and Extra fresh eggs is carried out in accordance with Article 6(2) and Article 12 of Delegated Regulation (EU) 2023/2465.

(3) The packaging of Class B eggs is carried out in accordance with Article 16 of Delegated Regulation (EU) 2023/2465.

(4) For loose eggs sales, the information referred to in Article 14 of Delegated Regulation (EU) 2023/2465 must be provided to consumers.

Article 15. The repacking of Class A eggs is permitted in accordance with the requirements of Article 17 of Delegated Regulation (EU) 2023/2465.

Article 16. Transport packaging and the packaging in which eggs are sold to the consumer comply with the requirements of Article 15 of Delegated Regulation (EU) 2023/2465.

Section V

Packing centres, collection centres and egg producers

Article 17. (1) At packing centres, grading, marking, packing, repacking of eggs and marking of packaging is carried out.

(2) Packing centres must comply with the requirements of Article 3 of Commission Implementing Regulation (EU) 2023/2466 and shall be approved in accordance with the procedure laid down in Article 31 of the Food Act.

(3) Eggs are delivered to the packing centres by a producer or a collector of eggs.

(4) The collectors referred to in paragraph 3 have an egg collection centre approved in accordance with Article 31 of the Food Act, and may deliver eggs to a packing centre or to a food or non-food industry site.

(5) Egg producers have a production site registered in accordance with the procedure of Article 137 of the Veterinary Act.

Article 18. Production sites, collection centres and egg-packing centres keep records in accordance with the requirements of Articles 5-8 of Implementing Regulation (EU) 2023/2466.

Heading VI

Training of egg graders

Article 19. (1) The grading of eggs is carried out by persons who have passed training as egg graders or using automated grading systems.

(2) The training of egg graders is carried out by the Agricultural Academy, universities providing training for poultry farming specialists and/or a training organisation, in accordance with a programme approved by the Bulgarian Food Safety Agency.

(3) The certificate of course completion is issued by the training organisation following the successful completion of an examination.

Heading VII

Specific requirements for the production and marketing of table eggs from sites rearing breeding hens

Article 20. (1) The marketing of table eggs from sites rearing breeding hens is carried out in compliance with the following specific requirements:

1. it is not allowed to place and remove the eggs from the incubator;
2. the eggs are stored at a temperature between 5°C and 18°C;
3. cleaning of eggs with water, chemicals or disinfectants is not allowed;
4. the marking of eggs with a producer code is carried out in accordance with Article 5(4);
5. the meaning of the producer code is explained on or inside the egg carton.

(2) The sites referred to in paragraph 1, depending on the rearing method of the breeding hens, must comply with the requirements of Article 7(1), subparagraphs 2-4, paragraph 2, subparagraphs 2 and 3, and paragraph 3, Article 8(1) and Article 10 of Regulation No 25 of 2005 on the minimum welfare requirements for rearing laying hens.

Article 21. The marketing of table eggs from sites rearing breeding hens takes place only in the Republic of Bulgaria.

Heading VIII

Specific requirements for the production and marketing of table eggs from sites rearing 50 to 350 hens

Article 22. (1) A production site for table eggs, in which between 50 and 350 hens are reared, depending on the rearing method, must comply with the requirements of Article 7, paragraph 1, subparagraphs 2-4, paragraph 2, subparagraphs 2 and 3, and paragraph 3, Article 8, paragraph 1 and Article 10 of Regulation No 25 of 2005 on the minimum requirements for the humane treatment of laying hens.

(2) The marking of table eggs carrying a producer code by the sites referred to in paragraph 1 is carried out in accordance with Article 5(4).

Heading IX

Conditions and procedures for carrying out inspections

Article 23. (1) The Bulgarian Food Safety Agency performs official controls based on a risk analysis, including random sampling, to verify compliance with the requirements for the marketing of eggs.

(2) The risk analysis referred to in paragraph 1 is takes into account the data referred to in Article 9, paragraphs 2 and 4 of Commission Implementing Regulation (EU) 2023/2466 as a minimum and serves to determine the frequency of controls.

Article 24. (1) The import of eggs from third countries is permitted provided that the requirements of the Veterinary Act and of Article 9(3) of Commission Implementing Regulation (EU) 2023/2466 are respected.

(2) When eggs are imported in the Republic of Bulgaria as their final destination, the importer must notify the Director of the RDFS in whose jurisdiction customs clearance is completed, by means of a notification letter, in accordance with the Annex.

(3) Upon receipt of the notification referred to in paragraph 2, the RDFS concerned carries out a check to ensure compliance with the requirements of Article 22 of Delegated Regulation (EU) 2023/2465 prior to the release for free circulation.

(4) When Class B eggs are imported, the check referred to in paragraph 3 is carried out after it has been established that the final destination of the eggs is a processing industry establishment.

(5) Consignments of eggs which do not meet the requirements of paragraph 3 are not released to be placed on the market.

Article 25. (1) When carrying out the checks referred to in Article 23 and Article 24(3), a sample is taken, depending on the type of packaging, to determine the grade, category and marking of the eggs.

(2) During the checks referred to in paragraph 1, deviations in the quality, weight and marking of eggs may be permitted in accordance with Articles 18–20 of Delegated Regulation (EU) 2023/2465.

Article 26. (1) In case non-compliance with the requirements for the marketing of eggs is found, actions in accordance with Article 10 of Commission Implementing Regulation (EU) 2023/2466 are taken.

(2) The European Commission must be notified of any infringements of the requirements governing the intra-Union trade in eggs between Member States, in accordance with Article 11 of Commission Implementing Regulation (EU) 2023/2466.

Section W

Procedure for collecting data on the average purchase and sale price of eggs

Article 27. The Ministry of Agriculture and Food (MAF) keeps a database of the average selling prices of Class A eggs per method of rearing.

Article 28. (1) The owner of the egg packing centre, or a person authorised by them, submits information to the Ministry of Agriculture and Food on a weekly basis on the average selling prices of Class A eggs, calculated as the average of sizes L and M, per method of rearing.

(2) The price information referred to in paragraph 1 must be provided by electronic means no later than 12 p.m. every Tuesday.

(3) The reported prices represent the average prices for the week preceding the week of notification and are expressed in euro per 100 kg, excluding VAT, as 100 kg of size L eggs are treated as equivalent to 1,500 eggs and 100 kg of size M eggs as equivalent to 1,800 eggs.

(4) The national average weekly selling price referred to in paragraph 1, expressed in euro per 100 kg, excluding VAT, is calculated by the Ministry of Agriculture and Food and reported to the European Commission no later than 12 p.m. every Wednesday.

Additional provision

§ 1. For the purposes of this Regulation, the definitions laid down in Article 2 of Delegated Regulation (EU) 2023/2465 apply.

Transitional and final provisions

§ 2. (1) Table eggs production sites rearing 50 to 350 hens must take the necessary steps to comply with the requirements of this Regulation no later than one year of its entry into force.

(2) The relevant Regional Directorate of Food Safety re-issues, ex officio, the registration certificates under Article 137 of the Veterinary Act to the sites referred to in paragraph 1.

§ 3. Sites registered for the rearing of breeding hens prior to the entry into force of this Regulation, which will be placing table eggs on the market, submit an application for a change in circumstances according to Article 137c(1) of the Veterinary Act.

§ 4. This Regulation is issued pursuant to Article 58g(1) and (5) and Article 58h of the Law on the Implementation of the Common Organisation of the Markets Agricultural Products in the European Union, and Article 7a of the Law on Normative Acts.

§ 5. This Regulation repeals Regulation No 1 of 2008 on the requirements for the marketing of eggs (published in the SG, issue 7/2008).

X

PLAMEN ABROVSKI

Minister

TO
THE DIRECTOR OF
THE REGIONAL FOOD SAFETY DIRECTORATE
city of.....

NOTIFICATION
of the import of eggs

1. by
.....
(full names of the representative and name of the importing legal person)

2. EIK/BULSTAT
.....

3. Address, phone number and email
.....
.....

DEAR MADAM/SIR DIRECTOR,

I would like to inform you that on 20....., import of ☐ Class A / ☐ Class B
eggs will take place.
(please specify the eggs grade)

Eggs will be received for ☐ packing/ ☐ storage/ ☐ processing purposes
(mark the correct option)

at
.....
(name and veterinary registration number of the site for the packing/storage/processing of eggs)

Site address
.....
.....

.....
(date)

.....
(signature)