

ARTICLE 9

(Infringements of the provisions concerning the designations of milk and milk products)

1. In Title II of Legislative Decree No 231 of 15 December 2017, the following is inserted after Chapter II:

"Chapter II-bis - Infringement of the provisions concerning the designations of milk and milk products;

Article 7-bis (Administrative penalties for the misuse of the designations of milk and milk products referred to in Annex VII to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013) - 1. Unless the act constitutes an offence, any person who prepares, produces, packages, holds, sells, offers for sale, places on the market, transfers in any capacity or advertises foodstuffs by any means under names which misappropriate, imitate or evoke the designation of milk or the designations of milk product in infringement of the provisions of Annex VII to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013, shall be subject to an administrative fine ranging from a minimum of 4,000 euros to a maximum of 32,000 euros, or 3 percent of the total annual turnover in the most recent financial year closed prior to the establishment of the infringement, where that amount exceeds 32,000 euros. The penalty shall also include the seizure of the goods and of any materials or media used to commit the infringement, with a view to their confiscation and destruction. In any case, the maximum penalty may not exceed 100,000 euros. The provisions of this subparagraph shall also apply where the names referred to in the first sentence are accompanied by explanatory or descriptive terms indicating the plant-based origin of the product or by negative qualifiers.

2. The reduced payment referred to in Article 16 of Law No 689 of November 24th 1981 shall not apply.