

(English version)

**Priority question for written answer P-002803/26
to the Commission
Radan Kanev (PPE), Nikola Minchev (Renew), Hristo Petrov (Renew)
(7 July 2026)**

Subject: Compatibility of Bulgaria's Order No RD11-1585 of 19 June 2026 on intra-EU raw milk deliveries with Article 34 TFEU and the Official Controls Regulation

On 19 June 2026, the Bulgarian Food Safety Agency adopted Order No RD11-1585, which replaced Order No RD11-1497 and introduced mandatory prior notification, documentary, identity and physical checks, and laboratory testing, for all intra-EU deliveries of raw milk. While replacing the previous order, it continues to raise concerns regarding compatibility with EU single market rules.

Under Order No RD11-1585, consignments remain subject to restrictions pending laboratory results, without a clearly defined maximum timeframe for completing controls. Stakeholders report that Bulgaria faces a structural shortage of raw milk and that the measures may disrupt processing and supply chains. They also note that raw milk intended for processing is subject to a particularly burdensome control regime, whereas dairy products produced from the same component in other Member States continue to circulate freely on the market.

In light of Article 34 TFEU and the risk-based principles of the Official Controls Regulation ⁽¹⁾:

1. Does the Commission consider Order No RD11-1585 to be compatible with the requirement for risk-based controls, given that it systematically requires checks on and laboratory testing of all consignments?
2. Has the Commission assessed whether the absence of a maximum duration for restrictions on consignments is compatible with the principle of proportionality?
3. Will the Commission examine whether the practical application of the order may constitute an unjustified obstacle to the free movement of goods within the single market?

Submitted: 7.7.2026

**Answer given by Mr Várhelyi on behalf of the European Commission
(19 August 2026)**

Following concerns raised by Member States and by business operators that ship raw milk and dairy products to Bulgaria, the Commission requested explanations from the Bulgarian competent authorities on Order No RD11-1497 and discussed the matter with representatives of all Member States.

The Commission took the preliminary view that Order No RD11-1497 raised serious concerns regarding its compatibility with EU law, in particular since it was not aware of the existence of any serious risk to human health, animal health or the environment stemming from dairy products from other Member States or any other reason that would suggest the introduction of systematic checks by the Bulgarian competent authorities.

Order No RD11-1497 was repealed on 18 June 2026 and replaced by Order No RD11-1585 on 19 June 2026.

According to the information currently available to the Commission, Order No RD11-1585 of the Bulgarian Food Safety Agency applied until 30 June 2026 and is therefore no longer in force. As a consequence, the Commission does not consider the current applicable law in Bulgaria to present an obstacle to the free movement of goods.

¹ Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (OJ L 95, 7.4.2017, p. 1, ELI: <http://data.europa.eu/eli/reg/2017/625/oj>).