Commission Implementing Regulation (EU) 2019/1841 of 31 October 2019 entering a name in the register of protected designations of origin and protected geographical indications 'Vlees van het rood ras van West-Vlaanderen' (PDO)

COMMISSION IMPLEMENTING REGULATION (EU) 2019/1841

of 31 October 2019

entering a name in the register of protected designations of origin and protected geographical indications 'Vlees van het rood ras van West-Vlaanderen' (PDO)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs[(1)], and in particular Article 52(3)(a) thereof,

Whereas:

(1) Pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012, application from Belgium to register the name 'Vlees van het rood ras van West-Vlaanderen' as protected designation of origin (PDO) was published in the *Official Journal of the European Union*[(2)].

(2) On 27 July 2018 the Commission received a notice of opposition from France. The related reasoned statement of opposition was received by the Commission on 26 September 2018.

(3) France claimed that the conditions under Article 5 of Regulation (EU) No 1151/2012 are not complied with. It alleged that the name proposed for registration as PDO 'Vlees van het rood ras van West-Vlaanderen' is not attached to any specific place. It just identifies the bovine breed 'Red breed of West Flanders' from which the meat is produced according to the related product specifications.

(4) In addition, France also claimed that the name proposed would be contrary to Article 6(2) because likely to mislead the consumer as to the true origin of the product. Since the name to register contains the term 'ras' meaning 'breed', it would be impossible to differentiate between a meat produced following the product specification of the Protected Designation of Origin and a meat simply obtained from animals of the same breed but not covered by the Protected Designation of Origin. Consequently, a high risk of confusion for the consumer would exist.

(5) Finding such opposition admissible, by letter dated 14 November 2018, the Commission invited Belgium and France to engage in appropriate consultations for a period of three months to seek agreement among themselves in accordance with their internal procedures.

(6) At the request of the applicant the deadline for consultation was extended for three additional months.

(7) An agreement was reached between the parties. Belgium communicated the results of the agreement to the Commission by letter of 14 May 2019. It was clarified that the official name of the breed is 'Rood' and not 'Rood ras van West-Vlaanderen'. Therefore, the geographical element of the name is not part of the name of the breed but it is the geographical component of the name to register and it indicates the origin of the product.

(8) In addition, in the light of the above clear distinction, the name may not be considered likely to mislead the consumer as to the true origin of the product. Complying with the general Union's labelling rules would be sufficient to avoid the risk of misleading the consumers also with reference to translations and in particular to possible conflict with the name of the French breed 'Rouge Flamande'.

(9) Protection should be granted to the name 'Vlees van het rood ras van West-Vlaanderen' as a whole. Producers should be allowed to continue to use individual components of that name, even jointly and also in translation, provided the principles and rules applicable in the Union's legal order are respected.

(10) As it complies with the provisions of Regulation (EU) No 1151/2012 and Union legislation, the content of the agreement concluded between Belgium and France should be taken into account.

(11) The texts of the single document and of the product specification were amended accordingly. Such changes made to the single document are deemed not substantial. The herdbook of the breed 'Rood' and the regulations of the applicant group were attached to the product specification.

(12) Since the changes to the single document are not substantial, a repetition of the scrutiny, as provided for in Article 51(4) of Regulation (EU) No 1151/2012, is not required. The consolidated version of the single document should, however, be published for information.

(13) In the light of the above, the name 'Vlees van het rood ras van West-Vlaanderen' should be entered in the Register of protected designations of origin and protected geographical indications,

HAS ADOPTED THIS REGULATION:

Article 1

The name 'Vlees van het rood ras van West-Vlaanderen' (PDO) is registered.

The name in the first paragraph identifies a product from Class 1.1. Fresh meat (and offal) of Annex XI to Commission Implementing Regulation (EU) No 668/2014[(3)].

The consolidated single document is set out in the Annex to this Regulation.

Article 2

Protection is granted to the name 'Vlees van het rood ras van West-Vlaanderen' as a whole. Individual components of that name may be used, even jointly and also in

translation, throughout the Union, provided the principles and rules applicable in the Union's legal order are respected.

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 31 October 2019.

For the Commission

The President

Jean-Claude JUNCKER

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2019/1841. (See end of Document for details)*

ANNEX

SINGLE DOCUMENT‘VLEES VAN HET ROOD RAS VAN WEST-VLAANDEREN’EU No: PDO-BE-02261 — 11.1.2017**PDO (X) PGI ( )**

1. **Name(s)**

‘Vlees van het rood ras van West-Vlaanderen’

2. **Member State or third country**

Belgium

3. **Description of the agricultural product or foodstuff**

3.1. *Type of product*

Fresh meat (and offal)

3.2. *Description of product to which the name in (1) applies*

The name ‘Vlees van het rood ras van West-Vlaanderen’ may be used only for fresh meat from females, aged between three and a half and eight years of age, and steers, aged between two and three and a half years of age, of the ‘Red’ breed of cattle bred and reared in the province of West Flanders. The carcasses must meet the following specifications:

— Weight: at least 380 kg.

— Conformation: Classes S, E, U, R and O of the SEUROP classification for cattle.

— Fat cover: 2, 3, 4 or 5.

The meat is fairly dark red, with light, fine marbling and a fine-grained texture.

The meat has a full, intense flavour, and the fine streaks of fat give it a touch of creaminess.

3.3. *Feed (for products of animal origin only) and raw materials (for processed products only)*

75-100 % of the coarse fodder (grass and grassland products) given to the cows and steers of the ‘Red’ breed is produced within the geographical area, chiefly on the holding itself.

At certain times of their lives, the cattle are additionally given a small percentage of concentrated feed.

In the summer, the cattle graze in the fields as soon as, and for as long as, the weather permits. On average, this amounts to seven months between April and November.

In the winter, the fodder consists primarily of local grassland products: haylage and hay.

The grassland products are produced on the holding, but, if necessary, fodder produced locally, within the geographical area, can be bought in. Only in extreme weather conditions (drought or heavy rainfall) can a limited amount of fodder be bought in from neighbouring areas. Each year, the percentage of the fodder coming from outside the geographical area amounts to from 30 % to a maximum of 50 % of the dry matter fed to the animals, and this does not affect the specific characteristics of the meat.

In addition to grassland products, the cattle are given the following:

— in the summer (and only if necessary): locally produced coarse fodder (such as maize, pulp, draff, potatoes, straw, etc.),