Commission Implementing Regulation (EU) 2017/1595 of 21 September 2017 approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Gorgonzola (PDO))

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1595

of 21 September 2017

approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Gorgonzola (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 the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission examined Italy's application for the approval of amendments to the specification for the protected designation of origin (henceforth PDO) ‘Gorgonzola’, registered under Commission Regulation (EC) No 1107/96[(2)].

(2) Since the amendments in question were not minor within the meaning of Article 53(2) of Regulation (EU) No 1151/2012, the Commission published the amendment application in the *Official Journal of the European Union*[(3)] as required by Article 50(2) of Regulation (EU) No 1151/2012.

(3) The amendments concern the product description, the proof of origin, the method of production, the labelling, the packaging and certification rules.

(4) On 22 August 2016 the Commission received a notice of opposition from Belgium. The related reasoned statement of opposition was received by the Commission on 21 October 2016.

(5) Finding such opposition admissible, by letter dated 7 June 2016, the Commission invited Italy and Belgium to engage in appropriate consultations for a period of 3 months to seek agreement among themselves in accordance with their internal procedures.

(6) The deadline for consultation was extended for 3 additional months.

(7) An agreement was reached between the parties. Italy communicated the results of the agreement to the Commission by letter of 5 June 2017.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/1595. (See end of Document for details)*

(8) Belgium had opposed that, contrary to what is provided for by Article 7(1)(e) and (g) of Regulation (EU) No 1151/2012, the amendment application does not establish clear rules for the packaging and the certification system.

(9) In particular, the opponent focussed on point 3.6 of the amended single document which reads: '*"Gorgonzola" may also be marketed in pre-packaged portions without the goffered aluminium foil following certification by the authorised inspection body or other body delegated by it for that purpose. In order to maintain the quality, guarantee the origin and ensure the control of pre-packaged portions of "Gorgonzola" placed on the market, the cutting and packing of the portions must be certified by the authorised inspection body or other body delegated by it for that purpose.*'

(10) It was claimed that such rules do not make it clear what conditions must be met and controlled for the cutting and packaging of 'Gorgonzola' PDO cheese to be certified. In addition, the new system risks taking some months before being operational. The certification body is supposed to take some time for decisions on applications for certification thus leaving, during the scrutiny period, the operators without legal basis to use the registered name in marketing the product.

(11) The opponent therefore aimed at clarifying the exact obligations under the certification procedure and at obtaining a transitional period to allow a smooth start of the new certification system, in which processers and packagers may continue the marketing of their products using the registered name 'Gorgonzola' PDO until the body responsible for granting certification has reached a decision on their application.

(12) Italy agreed that the rules on packaging and controls had to be detailed. The inspection (control) body for Gorgonzola PDO prepared a document which the opponent considered as clarifying the majority of the issues raised.

(13) The product specification and the single document have been further amended. It was established that pre-packaged portions must be obtained from wheels, half-wheels or portions of wheels whose origin has been certified. Traceability requirements and labelling obligations for operators were reminded.

(14) In addition, in order to allow a smooth start of the new certification system, and to let the operators cutting and packaging the product out of the geographical area benefit from an appropriate deadline to submit their application for certification and continue to market their product under the registered name 'Gorgonzola' PDO, the specific rule on packaging requiring that 'Gorgonzola' marketed in pre-packaged portions without the goffered aluminium foil must be certified by the authorised inspection (control) body or other body delegated by it for that purpose, should be applied only after 6 months from the entry into force of this Regulation.

(15) In the light of the above, the Commission considers that the amendment should be approved. The consolidated version of the single document should be published for information,

HAS ADOPTED THIS REGULATION:

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/1595. (See end of Document for details)*

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name ‘Gorgonzola’ (PDO) are hereby approved. The consolidated single document is set out in the Annex to this Regulation.

Article 2

The rule in Article 4 of the product specification and section 3.6 of the single document that ‘“Gorgonzola” may also be marketed in pre-packaged portions without the goffered aluminium foil following certification by the authorised inspection body or other body delegated by it for that purpose’ shall apply from 12 April 2018.

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, 21 September 2017.

For the Commission

The President

Jean-Claude JUNCKER

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/1595. (See end of Document for details)*

ANNEX

SINGLE DOCUMENT Council Regulation (EC) No 510/2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs[(4)]
'GORGONZOLA'EC No: IT-PDO-0217-01214 — 18.3.2014**PGI () PDO (X)**

1. **NAME**

'Gorgonzola'

2. **MEMBER STATE OR THIRD COUNTRY**

Italy

3. **DESCRIPTION OF AGRICULTURAL OR FOOD PRODUCT**

3.1. **Type of product**

Class 1.3. Cheeses

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

'Gorgonzola' is a blue-veined cheese made exclusively from pasteurised whole cows' milk, that has a homogeneous, white and pale yellow, raw paste, with characteristic blue-green and/or grey-blue veins due to the development of mould (marbling).

'Gorgonzola' has the following characteristics:

— shape:
  — cylindrical, with flat ends and a straight side,
  — dimensions: minimum height of the side 13 cm; diameter between 20 and 32 cm,
  — classification on the basis of weight, flavour and maturation:
    1. large wheel, mild type: from 9 to 13,5 kg with a mild taste and a maturation period of a minimum of 50 days and a maximum of 150 days;
    2. large wheel, strong type: from 9 to 13,5 kg with a pronounced strong taste and a maturation period of a minimum of 80 days and a maximum of 270 days;
    3. small wheel, strong type: from 5,5 to less than 9 kg with a pronounced strong taste and a maturation period of a minimum of 60 days and a maximum of 200 days,
— rind: grey and/or pink in colour, non-edible;
— paste: homogeneous, white and pale yellow, with mould (marbling) producing characteristic blue-green and/or grey-blue veins,
— fat content in the dry matter: minimum 48 %.

3.3. **Raw materials (for processed products only)**

Whole cow's milk, calf rennet, salt.

3.4. **Feed (for products of animal origin only)**

At least 50 % on an annual basis of the dry matter of the feed for the cows comes from the production area.