Commission Implementing Regulation (EU) 2016/365 of 11 March 2016 entering a name in the register of protected designations of origin and protected geographical indications (Telemea de Ibănești (PDO))

COMMISSION IMPLEMENTING REGULATION (EU) 2016/365

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entering a name in the register of protected designations of origin and protected geographical indications (Telemea de Ibănești (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, the application from Romania to register the name 'Telemea de Ibănești' was published in the *Official Journal of the European Union*[(2)].

(2) On 5 March 2015, the Commission received one notice of opposition from Greece. On 30 April 2015 the Commission received the related reasoned statement of opposition.

(3) The Commission examined the opposition sent by Greece and found it admissible. The word 'Telemea', which forms part of the name 'Telemea de Ibănești' is almost identical to the name 'Τελεμές' (Telemés) which is used in Greece. 'Τελεμές' (Telemés) is a white brined cheese that is produced in different parts of Greece on a commercial scale. The opposition claims that the registration of the name 'Telemea de Ibănești' would jeopardise the existence of the partly identical name 'Τελεμές' (Telemés) and the existence of products which have been legally on the Greek market for at least five years preceding the date of publication of the application for registration of the name 'Telemea de Ibănești'.

(4) By letter of 22 June 2015 the Commission invited the interested parties to engage in appropriate consultations to seek agreement among themselves in accordance with their internal procedures.

(5) Romania and Greece reached an agreement, which was notified to the Commission on 21 September 2015, within the prescribed deadline.

(6) As it results from the information exchanged with Greece in the context of the opposition procedure, Romania produces at national level a cheese named 'Telemea'. This production complies with a national standard approved by the Romanian Standard Association. In 2014 around 24 000 tons of 'Telemea' have been produced in Romania.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2016/365. (See end of Document for details)*

By applying for the registration of the name 'Telemea de Ibăneşti' Romania did not aim at reserving the use of the term 'Telemea'.

(7) Romania and Greece agreed that the protection of the designation 'Telemea de Ibăneşti' should not cover the stand alone name 'Telemea' but only the compound name 'Telemea de Ibăneşti' as a whole. Moreover, they concluded that the Regulation entering the name 'Telemea de Ibăneşti' in the register of protected designations of origin and protected geographical indications should include a recital that specifies the scope of the protection.

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

(9) Therefore, the designation of origin 'Telemea de Ibăneşti' (PDO) should be protected as a whole, whereas the term 'Telemea' may continue to be used in labelling or presentations within the territory of the Union provided the principles and rules applicable in its legal order respected.

HAS ADOPTED THIS REGULATION:

Article 1

The name 'Telemea de Ibăneşti' (PDO) is registered.

The name in the first paragraph identifies a product from Class 1.3. Cheeses set out in Annex XI to Commission Implementing Regulation (EU) No 668/2014[(3)].

Article 2

The term 'Telemea' may continue to be used in labelling or presentations within the territory of the Union provided the principles and rules applicable in its 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, 11 March 2016.

For the Commission

The President

Jean-Claude JUNCKER