Commission Implementing Regulation (EU) No 1245/2013 of 28 November 2013 approving minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Fourme de Montbrison (PDO))

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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 the second subparagraph of Article 53(2) thereof,

Whereas:

(1) Pursuant to the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined France's application for the approval of amendments to the specification for the protected designation of origin 'Fourme de Montbrison' registered under Commission Regulation (EU) No 917/2010[(2)].

(2) The purpose of the application is to amend the specification by giving more detailed information on the proof of origin, the method of production, labelling, national requirements and the structures responsible for monitoring the designation.

(3) The Commission has examined the amendments in question and concluded that they are justified. Since the amendments are minor within the meaning of the third subparagraph of Article 53(2) of Regulation (EU) No 1151/2012, the Commission may approve them without following the procedure set out in Articles 50 to 52 of that Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specification for the protected designation of origin 'Fourme de Montbrison' is hereby amended in accordance with Annex I to this Regulation.

Article 2

Annex II to this Regulation contains the consolidated Single Document setting out the main points of the specification.

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*.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1245/2013. (See end of Document for details)*

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

Done at Brussels, 28 November 2013.

For the Commission, On behalf of the President,

Dacian CIOLOȘ

Member of the Commission

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1245/2013. (See end of Document for details)*

ANNEX I

In the specification for the protected designation of origin ‘Fourme de Montbrison’, the following amendments are approved:

1. **Heading II ‘Description of the product’**

— The following organoleptic description supplements the description of the product: ‘Fourme de Montbrison has a homogeneous, slightly firm texture and melts in the mouth. It has a subtle, scented flavour and a fruity, milky taste with a hint of a blue cheese, making it rather mild. A hint of salt and a slight bitterness are accepted’. This description is useful for the organoleptic examination of the product during inspection.

— It is specified that ‘Cutting Fourme de Montbrison is authorised if it does not completely alter its texture. Rind must be present on portions weighing more than 50 grams’.

Given the continuous changes in the ways cheese is consumed, this provision establishes a framework in order to prevent deviations in terms of the type of cut.

2. **Heading IV ‘Proof of origin’**

2.1. *Sub-heading IV.1 ‘Declarative requirements’*

— It is specified that the identification declaration ‘must be made in accordance with a model validated by the Director of the National institute for origin and quality’.

Prior declarations of having no intention to produce and of resuming production are provided for, enabling close monitoring of operators who wish to withdraw for a short period from the designation of origin.

The content of the declarations required regarding knowledge and monitoring of the products and the procedures for sending them are set out in detail.

These amendments are related to the reform of the system for inspecting designations of origin introduced by Order No 2006-1547 of 7 December 2006 on enhancing the value of agricultural, forestry, food and marine products.

2.2. *Sub-heading IV.2 ‘Registers’*

— The list of the registrations which operators must carry out is supplemented so that the production conditions laid down by the specification can be checked.

2.3. *Sub-heading IV.3 ‘Product monitoring’*

— The stage at which the organoleptic examination of the product must be carried out and the sampling method are specified. These procedures are subsequently included in the designation of origin monitoring or inspection plan drawn up by a control body.

3. **Heading V ‘Method of production’**

3.1. *Sub-heading V.1 ‘Milk production’*

— The dairy herd is defined as ‘all the dairy cows and replacement heifers present on the holding’, it being understood that ‘the dairy cows are the animals in production and the animals which have run dry’ and ‘the heifers are the animals which have been weaned but have not yet given birth.’. The purpose of this definition is to avoid any confusion by making clear which animals are being referred to when the terms ‘dairy herd’, ‘dairy cows’ and ‘heifers’ are used subsequently in the specification.

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— In point V.1.a, the procedures for temporary derogation from the requirements governing the provenance of the basic ration for dairy cows in the event of drought, climatic hazards or other exceptional circumstances have been removed.

— In point V.1.a it is made clear that the second paragraph concerns the basic ration and that cruciferous plants in the form of fodder are excluded. The purpose of these clarifications is to avoid any ambiguity in the text.

— In point V.1.a, the sentence ‘The proportion of hay, grass, wilted grass, wrapped grass or grass silage, expressed as dry matter, must be greater than or equal to 80 % of the fodder in the dairy cows’ basic ration on average for all the dairy cows over the year’ replaces the sentence ‘Hay, grass, wilted grass or grass silage must form the basis of the feed’. The proportion of grass in the basic ration is therefore clearly specified, as well as the animals to which it applies and the timescale concerned, which will facilitate checks. This provision emphasises the importance of grass-based feed for the designation of origin ‘Fourme de Montbrison’.

— In point V.1.a, the sentence ‘The proportion of maize silage, expressed as dry matter, must not exceed 20 % of the dairy cows’ basic ration on average for all the dairy cows over the year’ replaces the sentence ‘The proportion of maize silage, expressed as dry matter, must not exceed 20 % of the daily ration on average for the herd over the year’. The restriction on the quantity of maize therefore applies to the basic ration and not the whole ration and takes into account only the dairy cows.

This provision is supplemented by the sentences ‘Within the dairy herd, the consumption of whole-crop maize silage is reserved for the heifers entering their last month of gestation and for the dairy cows’ and ‘The cumulation, in the dairy cows’ daily ration, of (fresh or ensilaged) whole-crop maize with grain or ear maize preserved by moisture is prohibited’. Specifying the animals which may receive maize silage facilitates checking the proportion of maize silage actually given to the dairy cows. The purpose of the ban on cumulation of whole-crop maize with grain or ear maize preserved by moisture is likewise to limit the proportion of maize in the dairy cows’ feed, particularly in fermented form.

The purpose of all these provisions is, firstly, to give preference to grass in the dairy cows’ feed and, secondly, to facilitate checks by providing more precise references to the animals and periods concerned.

— In point V.1.a the provision relating to the supply of hay outside the grazing period applies only to the dairy cows: in the interests of consistency, monitoring compliance with this provision is therefore carried out on all the dairy cows and not on the dairy herd.

— In point V.1.b, in the interests of greater clarity, it is specified that the ban on rearing only by permanent stalling and on off-land rearing applies to the dairy cows.

— In point V.1.b a minimum grazing period of 150 days a year is stipulated for the dairy cows. This condition confirms grazing’s place in the dairy cows’ feed and facilitates monitoring compliance with the grazing requirement.

— In point V.1.b a sentence specific to green feeding authorises this practice for the dairy cows, with grass coming from the geographical area and supplementing grazing. The sentence therefore enables optimum use to be made, in the form of fresh fodder, of grass from parcels which are too far away from the milking shed for the dairy cows to be taken there.

— In point V.1.b a stocking density limit for holdings has been set in order to contribute towards affirming the use of extensive methods on the dairy farms to which the designation of origin ‘Fourme de Montbrison’ applies.

— In point V.1.c a maximum limit of 1 800 kg has been set for the proportion of supplements and additives in dry matter per dairy cow per year. This provision

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therefore promotes feed based on the fodder which makes up the basic ration and which comes from the geographical area.

— In point V.1.c the raw materials authorised in supplements given to the dairy cows and the additives authorised are now shown in two separate positive lists for greater clarity.

The following have been added to the positive list of raw materials authorised in supplements given to the dairy cows: moist grain maize; products derived from oilseeds, without the addition of urea; products derived from oil fruits, without the addition of urea, except for vegetable oils and fats and cocoa shells and pods; products derived from legume seeds; and by-products of the fermentation of micro-organisms whose cells have been deactivated or killed, other than products obtained from the biomass of specific micro-organisms cultivated on specified substrata and other than vinasse. The terms 'all cereals and their by-products', 'dehydrated beet pulp', 'molasses', 'protein seeds' and 'salt, minerals' are respectively replaced by the terms 'all cereal grains and products derived from them', 'dried beet pulp', 'molasses', 'legume seeds' and 'minerals and derived products'. The words 'cattle cake without the addition of urea' have been deleted because this product belongs to the products derived from oilseeds or oil fruits without the addition of urea. It is also specified that ears of maize may be preserved dry or moist. These raw materials have no impact on the quality of the product.

The use of caustic soda to treat cereals and products derived from them is prohibited because it is not a traditional practice.

The positive list of additives replaces the sentence 'Any additive intended to directly alter the composition of the milk is prohibited' and exhaustively details the functional categories and groups of authorised additives while complying with the regulatory terminology. The purpose of this amendment is to avoid any ambiguity or differences in interpretation during checks.

— In point V.1.e a provision banning GMOs in holdings' feed and crops has been added in order to maintain the feed's traditional character.

3.2. *Sub-heading V.3 'Processing'*

— In the positive list of ingredients and production aids and additives authorised in the milk or during production, the words 'harmless cultures of bacteria, yeasts and moulds' are replaced by the words 'cultures of bacteria, yeasts and moulds proven to be harmless' for greater clarity.

— The paragraph 'The different stages which follow comprise cutting the 'coagulum or curds', stirring, resting the curds, light pressing, crumbling, salting in the mass of the curds, putting into moulds, draining and putting into gutters. The stages are described in the following paragraphs:' has been deleted because each stage listed in that paragraph is described individually further on in the specification.

— Light pressing of the curds while resting before crumbling is optional from now on. This practice is not in fact an essential part of the technological production process, insofar as the final dry extract of the cheese complies with the specification's requirements.

— The sentence 'The curds are then crumbled, salted in the mass and put into moulds' has been reworded as follows: 'The curds are then crumbled and salted in the mass, at the latest when they are put into moulds'. The wording is therefore clearer as to when salting takes place.

— To facilitate understanding, the text specifies that the indoor draining carried out without turnover pressing takes place after moulding of the curds.

— The minimum duration of in-mould draining without turnover pressing is reduced from 24 to 18 hours. Changes in practice have reduced this period without affecting the quality of the cheeses produced.