Commission Implementing Regulation (EU) No 1128/2013 of 7 November 2013 approving minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Morbier (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 'Morbier' registered under Commission Regulation (EC) No 1241/2002[(2)], as amended by Regulation (EC) No 1027/2009[(3)].

(2) The purpose of the application is to amend the specification by giving more detailed information on the product description, 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 decided 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 the Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specification for the protected designation of origin 'Morbier' 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.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1128/2013. (See end of Document for details)*

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, 7 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 1128/2013. (See end of Document for details)*

ANNEX I

In the specification for the protected designation of origin 'Morbier', the following amendments are approved:

1.1. **Description of product**

Organoleptic properties

All the descriptors of the cheese have been analysed in order to give a more realistic description of the product:

As regards the black mark, the word 'well' before 'bound' has been deleted because it is subjective.

As regards the rind, the words 'smooth and homogeneous' have been replaced by the more precise description 'rubbed, of regular appearance, smeared, showing the frame of the mould'. As regards its colour, 'light grey to orangey beige' has been replaced by the more precise description 'beige to orangey with orangey brown, orangey red and orangey pink shades'.

As regards the cheese, it has been added that it is 'homogeneous' and specified that it is soft 'to the touch'. The openings are described more realistically: instead of 'possibly discreet openings' the text now reads 'frequently a number of scattered openings the size of a redcurrant or small flattened bubbles'. It has been added that the cheese is 'not very sticky in the mouth' and that its texture 'is smooth'.

As regards taste, instead of 'a light, creamy taste; its flavour is clear, fruity and persistent', the text now states 'The taste is clear with nuances of milk, caramel, vanilla and fruit. With ageing, the aromatic range becomes enriched by roasted, spicy and vegetable nuances. The flavours are balanced.'

Analytical characteristics

A minimum level of moisture content of fat-free cheese of 58 % has been added in order to avoid atypical cheeses which are too dry.

1.2. **Proof of origin**

The section 'Information proving that the product originates from the geographical area' has been consolidated and brings together in particular the declarative requirements and the requirements regarding the keeping of registers on the traceability of the product and the monitoring of production conditions.

Moreover, this section has been added to and supplemented by several provisions on registers and declarative documents enabling the cheeses' traceability to be guaranteed.

1.3. **Production method**

Milk production

— Breeds:

In order to facilitate checks, the breed type has been specified and the local breeds requirement has been extended to 'dairy herd' and 'to all the dairy cows present on the holding'. The 'products of crossing the two breeds of certified descent' are likewise allowed. The two pure breeds and their crossing are historically of local origin. The crossing has no observable impact on the specificity of the product.

— Grazing area:

The sentence 'The herd is managed in accordance with local customs' has been deleted because it is too general and does not allow for monitoring.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1128/2013. (See end of Document for details)*

The sentence ‘The areas considered as grazing areas for the production of “Morbier” are those grass areas which permanently have at least 3 different plant species and include at least one type of grass and one type of legume.’ has been added in order to favour natural grassland with the floristic diversity of pasture.

— Grassland management and enrichment:

A limit on nitrogenous mineral manure of 50 units per hectare of grazing area per year has been added in order to preserve the grassland’s floristic diversity. To the same end, the authorised types of organic manure have been listed: solid manure, slurry, liquid manure and stabilised sewage sludge. In order to avoid milk quality problems, any use of the forage area (grazing or mowing) is prohibited at least 4 weeks after the date of spreading the organic manure.

— Grazing:

In order to maintain the link between the product and its region, grazing has been made compulsory: ‘The dairy cows graze after the snow has melted and as soon as the soils’ bearing capacity allows. In the grazing season, the cows in production use at least 20 acres of grassland per dairy cow.’

— The dairy cows’ basic intake:

‘Only sodium chloride is authorised to improve the keeping of fodder.’ in order to avoid changing its characteristics.

Moistening the feed is prohibited in order to avoid the development of undesirable bacteria.

‘In the case of supplementary green feed, the green fodder is distributed in cleaned troughs and consumed within at most 4 hours of mowing.’ in order to avoid fermentation of the green feed. Similarly, ‘When beet is cut into pieces, it is prepared each day.’.

In order to maintain the link between the product and its region: ‘The supply of concentrates in the dairy cows’ intake (including the supply of dried plants) is limited on average for the herd to 1 800 kg per cow per year.’

The ban on fermented feed has been broadened from ‘dairy cows’ to the ‘dairy herd (cows in production, dry cows and replacement animals after weaning)’.

The possibility of feeding another herd, clearly separated, with this type of feed is nevertheless envisaged, subject to certain conditions.

In order to maintain the link between the product and its region, transgenic feed is banned.

In order to avoid a deterioration in the milk’s quality: ‘The following is banned from the dairy herd’s feed: fodder which adversely affects the milk’s smell or taste.’

Milking

The milk’s natural flora must be preserved. Increasing the number of milkings per day harms the milk’s natural flora. One daily milking causes imbalances in the microflora: ‘Milking is carried out twice a day, in the morning and in the evening. Omitting a milking is prohibited. In a bid to respect the milk’s natural flora, the products used do not contain disinfectants except in the case of established anomalies.’

Processing

— Milk used:

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The milk must be collected daily and used quickly in accordance with the time limits of local tradition.

This milk must be separated from other milk in order to authorise monitoring.

‘The only types of milk which may enter the premises where “Morbier” is made are those which comply with this specification, or types of milk intended for other designations of origin of the region provided that the traceability is sufficient to enable verification of compliance with this specification by the types of milk actually used to make “Morbier”.’. The microbial flora of the types of milk complying with the specifications of the region’s other PDOs is compatible with that of ‘Morbier’. The producers of milk for those other PDOs are identified and the types of milk coming from those holdings comply with the same essential rules as for the PDO ‘Morbier’: feeding dairy cows on the basis of grass and hay in the area, grazing, keeping the milk for a limited period, etc. That makes it possible to maintain an appropriate microbial atmosphere in the workshop. Other types of milk which comply neither with the specification for ‘Morbier’ nor with the specifications for the other PDOs do not provide the same guarantees. Moreover, different cheeses are of course made in different ways, either in other places (different production chain) or at different times (successive production).

— Processing

The sentence ‘With the exception of partial skimming, the addition of rennet, lactic starters, salt or water in order to clean the curd, nothing may be removed from or added to the milk.’ is replaced by:

> With the exception of partial skimming, nothing may be removed from or added to the milk, including during production, except for: — salt (sodium chloride), — rennet, — selected cultures of fermenting agents, obtained either by subculturing or by direct seeding, — water, — vegetable carbon (carbo medicinalis vegetalis).

It is specified that ‘Production must take place in a stainless steel or copper vat.’ for technological and traditional reasons.

The size of the curds’ grains has been deleted because this is impossible to check and is not specific to this product.

The conditions for the removal of lactose are specified as well as the temperature conditions in the vat.

The sentence ‘The loaves are formed by light pressing.’ is deleted because this is not a technological requirement.

It is specified that coating with vegetable carbon must be ‘done by hand’ so that the cheesemaker can demonstrate his know-how at this important stage of producing ‘Morbier’. The use of traditional wooden moulds and linen cloth are authorised because these are materials traditionally used in this sector.

It has been added to the specification that ‘Morbier’ must be salted dry or in brine and that, in the case of brining, chemical purification of the brine is prohibited. This important technological stage was forgotten in the previous specification.

Maturing

Wood is the best maturing medium because it enables excellent exchanges, particularly with water and salt, by regulating them. Wood also strengthens the link with the region by favouring