Commission Implementing Regulation (EU) No 973/2013 of 10 October 2013 approving a minor amendment to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Nürnberger Bratwürste/Nürnberger Rostbratwürste (PGI))

COMMISSION IMPLEMENTING REGULATION (EU) No 973/2013

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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 sentence of Article 53(2) thereof,

Whereas:

(1) In accordance with the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined the application from Germany for the approval of an amendment to the specification for the protected geographical indication ‘Nürnberger Bratwürste’/‘Nürnberger Rostbratwürste’, registered under Commission Regulation (EC) No 1257/2003[(2)].

(2) The application concerns the amendment to the description of the product.

(3) The Commission has examined the amendment in question and decided that it is justified. Since the amendment is minor, the Commission may approve it without recourse to the procedure laid down in Articles 50 to 52 of Regulation (EU) No 1151/2012,

HAS ADOPTED THIS REGULATION:

Article 1

The specification for the protected geographical indication ‘Nürnberger Bratwürste’/‘Nürnberger Rostbratwürste’ 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*.

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

Done at Brussels, 10 October 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 973/2013. (See end of Document for details)*

ANNEX I

The following amendment to the specification for the protected geographical indication ‘Nürnberger Bratwürste’/‘Nürnberger Rostbratwürste’ has been approved:

The following text is to be added to the description of the composition after ‘roughly defatted pigmeat’: Fatty meat, particularly pork belly, belly fat, jowl, jowl fat, back and back fat.

1. The need for the amendment has arisen as a result of the new rules relating to the labelling of the ingredients of foodstuffs (Quantitative Ingredient Declaration – QUID) introduced by Commission Directive 2001/101/EC of 26 November 2001 amending the Labelling Directive, Directive 2000/13/EC of the European Parliament and of the Council. Annex I to the Labelling Directive now stipulates that an ingredient may be described as ‘…-meat’ only if it does not exceed a specified fat and connective tissue content. For pigmeat, fat content may not exceed 30 % and connective tissue content 25 %. An ingredient which exceeds this limit value must be described as ‘fatty meat’ for example.

The recipe for ‘Nürnberger Bratwürste/‘Nürnberger Rostbratwürste’ allows a fat content of more than 30 %. The specification provided only for ‘roughly defatted pigmeat’. In accordance with the QUID requirement, the higher fat content must now be indicated on packaging in accordance with Section 3(1), No 3 of the Foodstuffs Labelling Order (Lebensmittel-Kennzeichnungsverordnung (LMKV)). This amendment to the LMKV in line with the Directive has not been included in the ‘Nürnberger Bratwürste’/‘Nürnberger Rostbratwürste’ recipe or specification to date. The recipe and the specification must therefore be amended to bring the product into line with the new labelling requirements.

The Association for the protection of ‘Nürnberger Bratwürste’ (Schutzverband Nürnberger Bratwürste) agreed to review the recipe and launch the specification amendment procedure in accordance with Regulation (EC) No 1257/2003 (ref. DPMA 398 99 002.6) on 28 September 2006.

2. ‘Nürnberger Bratwürste’/‘Nürnberger Rostbratwürste’ are traditionally produced with belly, belly fat, jowl, jowl fat, back or back fat according to the recipe that has been handed down. These ingredients are largely responsible for the consistency and smoothness of the sausages. Without these ingredients, the minced meat product would dry out considerably during frying and fall apart. The fatty meat is also largely responsible for the flavour, which is enhanced by the spicy nuances provided by the specific spices characteristic of ‘Nürnberger Bratwürste’/‘Nürnberger Rostbratwürste’.

The purpose of the more detailed list is to clarify the ingredients. There is no common understanding of the term ‘roughly defatted pigmeat’ among experts in the field in Germany. Some consider that ‘roughly defatted pigmeat’ does not include fatty meat. This would mean that the specification of ‘Nürnberger Bratwürste’/‘Nürnberger Rostbratwürste’ had been incomplete from the outset. This is substantiated with reference to a definition in the guidelines on the German Foodstuffs Register in which the terms ‘grob entfettetes Schweinefleisch’ (roughly defatted pigmeat) and ‘Speck’ (fatty meat) are defined separately.

This point in the guidelines is incomprehensible even to the supervisory authorities. The inspection office for north Bavaria (Landesuntersuchungsanstalt Nordbayern) was also involved in the preparation of the initial specification and, with its knowledge of the ingredients, did not consider it necessary to further specify the components despite the situation outlined above. All parties involved naturally assumed that roughly defatted pigmeat could also include some fatty meat. Otherwise, the recipe would not have been able to comprise fat content of up to 35 %. This proportion can be reached only if ‘roughly defatted pigmeat’ includes some belly, belly fat, jowl, jowl fat, back or back fat.

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The proportion of fatty meat in the recipe is restricted, firstly, by the 35 % limit applying to fat content. It is limited secondly as a result of the provision stipulating that meat protein free of connective tissue protein (MPFCP) must not be less than 12 %. Since the MPFCP content of fatty meat is only 8 % on average, the higher MPFCP content of at least 12 % in the end product can be achieved only in combination with particularly lean, high-quality meat with a MPFCP content well in excess of 12 %. Specifying the minimum MPFCP content in the recipe therefore limits fatty meat content. The definition of the term 'roughly defatted pigmeat' as used in the recipe does not therefore need to be interpreted according to the guidelines. Rather, it is evident from the recipe itself that the term is used in a different sense here than in the guidelines.

Moreover, the guidelines are not binding. It is recognised that the guidelines do not reflect the views of consumers or of specialists in the field, as their views were not sought when the guidelines were prepared. Rather, the guidelines reflect the views of certain interested parties. The guidelines in fact diverge from traditional production practices to a considerable extent. This was already evident in the preparation of the 'Nürnberger Bratwürste PGI'/'Nürnberger Rostbratwürste PGI' specification, as the composition of 'Nürnberger Bratwürste'/'Nürnberger Rostbratwürste' described here was considerably different to the actual recipe used locally. Consequently, the guidelines were amended after the registration process. The traditional practices applied in the production of 'Nürnberger Bratwürste'/'Nürnberger Rostbratwürste' should also constitute the reference point for the definition of the ingredient 'roughly defatted pigmeat' as used in the recipe. Here the ingredients 'belly, belly fat, jowl, jowl fat, back or back fat' are traditionally used. In the interests of clarity for all parties, the ingredients 'fatty meat, particularly pork belly, belly fat, jowl, jowl fat, back and back fat' will now be listed explicitly in the recipe.

ANNEX II

*Consolidated single document*Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs[(3)]**'NÜRNBERGER BRATWÜRSTE'/'NÜRNBERGER ROSTBRATWÜRSTE'**EC No: DE-PGI-0105-0184-28.09.2010**PGI (X) PDO ( )**

1. **Name**

'Nürnberger Bratwürste'/'Nürnberger Rostbratwürste'

2. **Member State or Third Country**

Germany

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

3.1. *Type of product*

Class 1.2.Meat products (cooked, salted, smoked, etc.)

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

7-9 cm long grilling sausage in a tight sheep casing, medium-chopped; unit weight raw approximately 20-25 g;

Composition:

Roughly defatted pigmeat, fatty meat, particularly pork belly, belly fat, jowl, jowl fat, back and back fat, no filler, not cured (with the exception of smoked Bratwürste), the spice mixture varies