Commission Implementing Regulation (EU) No 723/2012 of 8 August 2012 recognising a traditional term provided for in Council Regulation (EC) No 1234/2007 (Cream — TDT-US-N0017)

COMMISSION IMPLEMENTING REGULATION (EU) No 723/2012

of 8 August 2012

recognising a traditional term provided for in Council Regulation (EC) No 1234/2007 (Cream — TDT-US-N0017)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation)[(1)], and in particular Article 118u(2) in conjunction with Article 4 thereof,

Whereas:

(1) Two representative professional organisations established in the United States of America, WineAmerica and California Export Association, submitted to the Commission an application, received on 22 June 2010, for protection of the traditional term ‘Cream’ in relation to grapevine products of category ‘3. Liqueur wine’ provided for in Annex XIb to Regulation (EC) No 1234/2007 bearing a name of origin listed in Annex V to the Agreement between the European Community and the United States of America on trade in wine, approved by Council Decision 2006/232/EC[(2)].

(2) In accordance with Article 33 of Commission Regulation (EC) No 607/2009 of 14 July 2009 laying down certain detailed rules for the implementation of Council Regulation (EC) No 479/2008 as regards protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products[(3)], the application was published in the *Official Journal of the European Union*[(4)]. No objection was submitted within two months from the date of publication.

(3) The application for the protection of the traditional term ‘Cream’ which relates to American wines satisfies the conditions laid down in Article 118u(1) of Regulation (EC) No 1234/2007 and in Articles 31 and 35 of Regulation (EC) No 607/2009. The application for protection should be accepted and the traditional term ‘Cream’ should therefore be entered into the electronic database ‘E-Bacchus’ for wines produced by the members of the two representative professional organisations that submitted the application.

(4) Article 30(2) of Regulation (EC) No 607/2009 requires the Commission to make public the information regarding the representative trade organisation and its members. That information should be made public in the electronic database ‘E-Bacchus’.

(5) The measure provided for in this Regulation is in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

The application for protection of the traditional term ‘Cream’ is hereby accepted for American grapevine products of category ‘3. Liqueur wine’ provided for in Annex XIb to Regulation (EC) No 1234/2007. The term ‘Cream’ shall be entered into the electronic database ‘E-Bacchus’ as indicated in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the third 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, 8 August 2012.

For the Commission

The President

José Manuel BARROSO