Commission Regulation (EU) No 353/2010 of 23 April 2010 approving minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Mirabelles de Lorraine (PGI)]

COMMISSION REGULATION (EU) No 353/2010

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approving minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Mirabelles de Lorraine (PGI)]

THE EUROPEAN COMMISSION,

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

Having regard to 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[(1)], and in particular the second sentence of Article 9(2) thereof,

Whereas:

(1) In accordance with the first subparagraph of Article 9(1) of Regulation (EC) No 510/2006, the Commission has examined France's application for approval of an amendment to the specification for the protected geographical indication ‘Mirabelles de Lorraine’, registered under Commission Regulation (EC) No 1107/1996[(2)].

(2) The application is for the specification to be amended by the inclusion of deep-frozen mirabelles. Some other amendments have been made, in particular as regards the proof of origin and the labelling.

(3) The Commission has examined the amendment in question and decided that it is justified. Since the amendment is minor within the meaning of Article 9 of Regulation (EC) No 510/2006, the Commission may approve it without following the procedure set out in Articles 5, 6 and 7 of the Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specification for the protected geographical indication ‘Mirabelles de Lorraine’ is hereby amended in accordance with Annex I to this Regulation.

Article 2

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

Article 3

This Regulation shall enter into force on the 20th 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 Regulation (EU) No 353/2010. (See end of Document for details)

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

Done at Brussels, 23 April 2010.

For the Commission

The President

José Manuel BARROSO

***Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EU) No 353/2010. (See end of Document for details)*

ANNEX I

The specification for the protected geographical indication ‘Mirabelles de Lorraine’ is amended as follows:

Description

(1) The following paragraph is added: ‘ “Mirabelles de Lorraine” may be packaged and presented as a fresh or a deep-frozen product. The fresh mirabelles are for direct consumption or processing. The deep-frozen mirabelles are for processing or retail sale and come in different forms:

(a) whole, with stone in;

(b) whole, with stone removed; and

(c) in halves, with stone removed.’

(2) The description of the product is more specific as to the various possible uses of the fruit and the ways in which it may be presented.

(3) The following paragraph is added: ‘The characteristics of each category of the product must comply with the respective rules in force.’

(4) The following table laying down the physical and chemical characteristics of the product is added:

	‘Mirabelles de Lorraine’
Characteristics	Fruits ≥ 22 mm in diameter Category I fruits for direct consumption Rules for fruit for processing Colour ≥ 4 (see AREFE colour scale in Annex 5) Average sugar content ≥ 16° Brix for fruit for direct consumption and ≥ 15° Brix for fruit for processing (crushing method)

Proof of origin

(1) The sentence ‘For each consignment, the member companies record in a register the holding where the fruit was produced, the quantity, the type of packaging and the end use’ is replaced by ‘For each consignment, the member companies put in place upstream and downstream traceability arrangements whereby origin, quantity, type of packaging and end use can be identified.’

(2) The following points are deleted:

(a) ‘the declarations of printing and use of aerex crates, banners, labels or vignettes referring to the designation;

(b) copy of the members' stock accounts for identifying labels, banners and vignettes.’

(3) The following paragraphs are added:

(a) ‘After packaging, each package of fruit for direct consumption or pallet of fruit for processing has a unique code linking to information about previous stages of handling (this code may correspond to the number of the production or pallet record).

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EU) No 353/2010. (See end of Document for details)*

(b) On consignment, the date of consignment and name of the customer are entered in the production record.'

Method of production

(1) The following is added to make the reference to the types of soil more precise: '45 % of fine elements of less than 20 microns (clay plus fine silt).'

(2) The following part of paragraph 4.4.2 is deleted: 'the climate probably has an influence on the quality of the product; the link between soil, climate and quality is currently the subject of an AREFE study: 20 orchards have been studied for the past 6 years and the conclusions of the study will be published in three years' time.'

(3) The references to the provisions of the regional orchard replanting specifications are deleted.

(4) The reference to the analysis of leaves in the autumn is deleted.

(5) The reference to minimum planting densities of 150 trees per hectare is deleted.

(6) The criteria for analysing the degree of ripeness are amended.

(7) Reference is made to the AREFE scale rather than the Hunter A scale.

(8) The reference to a sugar to acidity ratio of 4 or more is replaced by the minimum sugar content figure of 15° Brix.

(9) The following explanations of cumulative temperatures are added: 'Minimum cumulative temperatures at the F2 stage of 1 750 °C (Annex 6: ripeness guide): From the point at which 50 % of the flowers are open, a cumulative count is kept of each day's average temperature. It has been shown that the Mirabelle 1510 variety is ripe at around 1 850 °C. The early strains are ripe at around 1 750 °C.'

(10) The following paragraph on deep-freezing is added: 'The deep-freezing technique involves creating an intense heat exchange whereby the maximum temperature is reduced very rapidly to – 18 °C; this differentiates it from simple freezing. The more rapid the exchange, the better are the organoleptic properties of the product. This method of conservation preserves the quality and organoleptic characteristics of the mirabelles. Deep-freezing has certain advantages, such as:

(a) organoleptic advantages (appearance, consistency, flavour): of all the conservation processes, this cold treatment is the only one that is capable of restoring all the organoleptic qualities of the produce as captured in its fresh state;

(b) nutritional advantages: deep-freezing in itself has no impact on the nutritional value. The cold stabilises the state of the product;

(c) microbiological advantages: below – 18 °C, micro-organisms no longer develop. Their proliferation is also prevented by the total absence of water (which quickly turns to ice).'

(11) The sentence 'This area corresponds to the stages in which the fruit is produced, stored before packaging and then packaged' is replaced by 'For the fresh fruit, all operations (production, sorting, sizing, packaging) are carried out in the geographical area. For the deep-frozen fruit, the following stages take place in the geographical area: production, sorting, sizing, stoning, deep-freezing.'

Labelling

The section on labelling is brought into line with regulatory developments.