Commission Regulation (EC) No 940/2007 of 7 August 2007 approving minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Noix du Périgord (PDO))

COMMISSION REGULATION (EC) No 940/2007

of 7 August 2007

approving minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Noix du Périgord (PDO))

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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 Article 9(2) thereof,

Whereas:

(1) By virtue of the first subparagraph of Article 9(1) and Article 17(2) of Regulation (EC) No 510/2006, the Commission has examined the application from France for approval of an amendment to the specification for the protected designation of origin 'Noix du Périgord' registered by Commission Regulation (EC) No 1486/2004[(2)].

(2) The aim of the application is to amend the specification in respect of the packaging of fresh or early walnuts, increasing the maximum size of the packages from 5 kilograms to 10 kilograms in order to facilitate handling by traders.

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

HAS ADOPTED THIS DECISION:

Article 1

The specification for the protected designation of origin 'Noix du Périgord' shall be amended in accordance with Annex I to this Regulation.

Article 2

An updated summary of the main points of the specification is given in Annex II to this Regulation.

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 (EC) No 940/2007. (See end of Document for details)

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

Done at Brussels, 7 August 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

***Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EC) No 940/2007. (See end of Document for details)*

ANNEX I

The specification for the protected designation of origin ‘Noix du Périgord’ (France) is amended as follows:

in Article 4.5 (Method of production), penultimate paragraph, the first clause ‘Fresh or early walnuts are packed in packages of a maximum of 5 kg’ is replaced by the following:

‘Fresh or early walnuts are packed in packages of a maximum of 10 kg’.

ANNEX II

SUMMARYCouncil Regulation (EC) No 510/2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs‘NOIX DU PÉRIGORD’EC No: FR/PDO/105/0248/29.03.2006PDO (X) PGI ( )

This summary sets out the main elements of the specification for information purposes.

1. *Responsible department in the Member State*	Name	:	Institut national des appellations d'origine
	Address	:	51 rue d'Anjou, F-75008 Paris
	Tel	:	(33) 153 89 80 00
	Fax	:	(33) 142 25 57 97
	E-mail	:	info@inao.gouv.fr
2. *Group*	Name	:	Syndicat de défense de la noix et du cerneau de noix du Périgord
	Address	:	Station de Creysse, BP 18, F-46600 Martel
	Tel	:	(33) 565 32 22 22
	Fax	:	(33) 565 37 07 42
	E-mail	:	contact@noixduperigord.com
	Composition	:	Producers/processors (X) Other ( )
3. *Type of product*	Class 1.6 — Fruit, vegetables and cereals, whether or not processed		
4. *Specification*	(Summary of requirements under Article 4(2) of Regulation (EC) No 510/2006)		
	4.1. *Name:*		‘Noix du Périgord’
	4.2. *Description*		The following products may be protected by the Noix du Périgord PDO: fresh or early walnuts, dry walnuts, walnut kernels. The minimum size for fresh or early walnuts and dry walnuts is 28 mm. Fresh or early walnuts are fresh products, sold in-shell to be consumed soon after harvest, after being shelled and peeled. They are harvested when the kernel is firm and easily peeled. On packing, the humidity content of the nut must be at least 30 %. The two varieties used are marbot and franquette. Dry nuts, gently dried after harvest, must have a moisture content of less than 12 % on packing. They need simply be broken to be eaten, having become less bitter. The varieties used are marbot, franquette and corne.

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EC) No 940/2007. (See end of Document for details)*

Walnut kernels must be large enough not to pass through an 8 mm mesh. Small, light-coloured kernels are sought after. In the case of predominantly light-coloured kernels, all shapes are acceptable (whole or parts). Where kernels are slightly darker, light brown or lemon-coloured, only half-kernels are acceptable. Only 5 % of darker kernels are allowed. On packing, the maximum moisture content of the kernels is 5 %. The varieties used are corne, franquette and grandjean.

4.3. *Geographical area*

The geographical area of Noix du Périgord is made up of 612 municipalities in the Departments of l'Aveyron, la Charente, la Corrèze, la Dordogne, le Lot, and le Lot-et-Garonne.

The walnuts must be grown, shelled and packed in the area.

The area has been defined on the basis of two main criteria:

— production and processing methods: municipalities have been included within which there are walnut groves and/or isolated walnut trees and/or in which shelling is carried out;

— geological, pedological and climatic criteria indicating areas suitable for the production of quality walnuts. On the basis of these criteria, a planting zone for walnut trees has been defined, outside of which trees cannot be planted for the production of PDO walnuts.

4.4. *Proof of origin*

Historical background

The presence of walnut trees in Dordogne as far back as 8 000 BC is attested by fossilised wood and shells. The earliest written evidence of walnut trees in the Périgord is provided by rent paid by farmers to the Cistercian Abbey du Dalon in the thirteenth century. In the eighteenth century, walnut plantations were ruined by war and very cold winters and other oils (rapeseed oil, peanut oil, poppy seed oil) began to compete with walnut oil. However, production continued for the in-shell and, in particular, the kernel markets. In 1924, the first national congress on walnuts and walnut kernels was held in Périgueux, initiating coherent discussions of technical questions. At that time, Sarlat was renowned for walnut shelling by hand, which provided work for large numbers of women. The great freeze of 1956 damaged a great number of walnut trees and production plummeted from 10 000 tonnes to 6 500 tonnes. This low level of production continued into the 1980s but 25

000 ha have been planted in Dordogne in recent years, restoring the area planted to original levels and allowing an increase in production.
Traceability

Dried, fresh and kernels of noix du Périgord are monitored from the growing stage through to the final product.

The nuts are harvest solely in groves or from isolated trees identified by the Institut National des Appellations d'Origine (INAO — National Institute for Designations of Origin) and independent experts as being within the planting zone. The groves must comply with the criteria for parcels and production. All groves fulfilling the criteria are registered by the INAO.

In addition, all operators involved in the production, shelling storage and packaging of noix du Périgord must fill out a 'declaration of aptitude'', registered by the INAO, and are obliged to keep records to allow monitoring of purchases and sales of noix du Périgord. They must also make an annual stock declaration. Production is also monitored on the basis of harvest declarations, kernel-production declarations and marketing declarations, which must be submitted to the INAO. All lots of walnuts covered by the PDO must be accompanied by a removal order.

Analytical and organoleptic tests are carried out on samples of the packaged product. All packaging in which noix du Périgord are marketed is identified using a marking system specific to the product and approved by the INAO.

It is prohibited to transport loose in-shell walnuts or loose walnut kernels outside the geographical area. Generally speaking, walnuts, like wine, are fungible, meaning that walnuts of different origins and varieties can be mixed together in the same packaging. Unlike elsewhere in France, where walnuts in shell are sold in mixtures of varieties, Périgord walnuts have traditionally always been sold by variety, to preserve the value of the highest-quality varieties. The only exception to this rules is the traditional 'corne-marbot' mixture, as this makes it easier to sell the corne variety which, while its gustatory merits are clear, is difficult to break and therefore less attractive to some consumers. It is this tradition of selling walnuts by variety that underlies the requirement that the products be packaged in the production area, as is currant practice in the Périgord. Moreover, one of the assessment criteria used for the visual inspection of