

Commission Implementing Regulation (EU) 2020/2018 of 9 December 2020 entering a name in the register of protected designations of origin and protected geographical indications (Mozzarella di Gioia del Colle (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 on quality schemes for agricultural products and foodstuffs⁽¹⁾, and in particular Article 52(3) (b) thereof,

Whereas:

- (1) Pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012, the application from Italy to register the name ‘Mozzarella di Gioia del Colle’ as protected designation of origin (PDO) was published in the *Official Journal of the European Union*⁽²⁾.
- (2) On 19 December 2019 the Commission received the notice of opposition and the related reasoned statement of opposition from Germany. The Commission forwarded the notice of opposition and the reasoned statement of opposition sent by Germany to Italy on 13 January 2020.
- (3) The Commission examined the opposition sent by Germany and found it admissible. The word ‘Mozzarella’, which forms part of the name ‘Mozzarella di Gioia del Colle’ is identical to the name which is used in Germany for a type of cheese that is produced and marketed in Germany on a commercial scale. The opposition claims that the name ‘Mozzarella di Gioia del Colle’ cannot be registered as a protected designation of origin under Regulation (EU) No 1151/2012 because it does not meet the requirements of that Regulation as the name ‘Mozzarella’ is deemed generic and accordingly ineligible for registration. The opposition claims that the application for registration of ‘Mozzarella di Gioia del Colle’ does not comply with the condition referred to in Article 5 and 7(1) of Regulation (EU) No 1151/2012 since neither the quality nor the characteristics of the cheese are essentially or exclusively due to a particular geographical environment with its inherent natural and human factors. The opposition claims also that the registration of the proposed name ‘Mozzarella di Gioia del Colle’ would jeopardise the existence of the identical name (‘Mozzarella’) and the existence of products which have been legally on the German market for at least five years preceding the date of publication of the application for registration of the name ‘Mozzarella di Gioia del Colle’. Furthermore, the opposition claims that this application for registration is in contradiction with the

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registration of the name ‘Mozzarella’ as Traditional Specialty Guaranteed without reservation of the name (Regulation (EC) No 2527/98).

- (4) By letter of 12 February 2020 the Commission invited the interested parties to engage in appropriate consultations to seek agreement among themselves in accordance with their internal procedures.
- (5) Because of an administrative error the Commission’s letter of 12 February 2020 was however not received by the parties. Germany formally received the invitation to engage in appropriate consultations to seek agreement on 14 October 2020. Italy formally received it on 26 October 2020.
- (6) Although there have been exchanges and a substantial understanding on the registration of the name ‘Mozzarella di Gioia del Colle’ already in March 2020, the parties reached a formal agreement only in November 2020. The agreement has been communicated to the Commission by Italy on 9 November 2020.
- (7) Italy and Germany confirmed that the protection of the designation ‘Mozzarella di Gioia del Colle’ should not cover the stand-alone name ‘Mozzarella’ but only the compound name ‘Mozzarella di Gioia del Colle’ as a whole. By applying for the registration of the name ‘Mozzarella di Gioia del Colle’ Italy did not aim at reserving the use of the term ‘Mozzarella’.
- (8) Furthermore, they agreed that the term ‘Mozzarella’ in the product specification and in the single document should be always followed by the terms ‘di Gioia del Colle’ in order to signify that the protection is referred only to that compound name. The product specification and the single document have been amended accordingly.
- (9) As it complies with the provisions of Regulation (EU) No 1151/2012 and EU legislation, the content of the agreement concluded between Italy and Germany should be taken into account.
- (10) Italy and Germany have also proposed that this Regulation should include a footnote explaining that the protection of the name ‘Mozzarella’ is not sought. However, for the sake of clarity and legal certainty, the statement on the status of protection of a specific term should be moved directly in the operative part of this Regulation.
- (11) Following the expressed clarification in an Article of this Regulation of the status of the term ‘Mozzarella’, the claim based on the inconsistency of this application with the registration of the term ‘Mozzarella’ as Traditional Specialty Guaranteed without reservation of the name becomes void.
- (12) On 17 January 2020 the Commission received the notice of opposition from the Consortium for Common Food Names (CCFN) and the U.S. Dairy Export Council (USDEC). The Commission forwarded the notice of opposition to Italy on 21 January 2020. On 17 March 2020, the Commission received the reasoned statement of opposition, within the prescribed deadline.
- (13) The Commission examined the opposition sent by the Consortium for Common Food Names (CCFN) and the U.S. Dairy Export Council (USDEC) and found it admissible. The term ‘Mozzarella’, which forms part of the name ‘Mozzarella di Gioia del Colle’

is identical to the term which is used for a type of cheese for which there is an active Codex Alimentarius Standard (Codex Stan 262-2006). The opposition claims that the name ‘Mozzarella di Gioia del Colle’ cannot be registered as a protected designation of origin under Regulation (EU) No 1151/2012 because the name ‘Mozzarella’ is a generic term and the application does not include an assurance that protection is not sought for that term and that this generic term will remain in free usage. In addition, the CCFN and the USDEC raised concerns on the procedure carried out at Member State level in relation to the alleged change of the name of the product, so claiming a breach of the conditions laid down in Article 5 and 7(1) of Regulation (EU) No 1151/2012.

- (14) By letter of 8 April 2020 the Commission invited the interested parties to engage in appropriate consultations to seek agreement among themselves in accordance with their internal procedures.
- (15) Italy and the Consortium for Common Food Names (CCFN) and the U.S. Dairy Export Council (USDEC) confirmed that the designation ‘Mozzarella di Gioia del Colle’ should be protected as a whole, whereas the stand-alone name ‘Mozzarella’ may continue to be used in labelling or presentations within the territory of the Union provided the principles and rules applicable in its legal order are respected.
- (16) However, the Consortium for Common Food Names (CCFN) and the U.S. Dairy Export Council (USDEC) did not give their final consent for the reason that Italy did not give them access to the documents of the national procedure and that it did not engage in confirming the free status of the name ‘Mozzarella’ for future requests of protection of the name ‘Mozzarella di Gioia del Colle’ outside the EU.
- (17) As it complies with the provisions of Regulation (EU) No 1151/2012 and EU legislation, the content of the partial agreement concluded between Italy and the Consortium for Common Food Names (CCFN) and the U.S. Dairy Export Council (USDEC) should be taken into account.
- (18) For the rest, the Commission has verified that the procedure carried out at Member State level concerned the applied name and that that name has been in use in trade and in common language to describe the specific product, in compliance with Article 7(1) of Regulation (EU) No 1151/2012.
- (19) The possible future applications of the Protected Designation of Origin ‘Mozzarella di Gioia del Colle’ outside the EU remains outside the scope of Regulation (EU) No 1151/2012.
- (20) The protection is not sought for the term ‘Mozzarella’ as such.
- (21) Therefore, the designation of origin ‘Mozzarella di Gioia del Colle’ (PDO) should be protected as a whole, whereas the term ‘Mozzarella’ should be allowed to continue to be used within the territory of the Union provided the principles and rules applicable in its legal order respected. The consolidated version of the single document should be published for information.
- (22) The measures provided for in this Regulation are in accordance with the opinion of the Agricultural Product Quality Policy Committee,

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HAS ADOPTED THIS REGULATION:

Article 1

The name ‘Mozzarella di Gioia del Colle’ (PDO) is registered.

The name in the first paragraph identifies a product from Class 1.3. Cheeses set out in Annex XI to Commission Implementing Regulation (EU) No 668/2014⁽³⁾. The consolidated single document is set out in the Annex to this Regulation.

Article 2

The name ‘Mozzarella’ may continue to be used within the territory of the Union, provided the principles and rules applicable in its legal order are respected.

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, 9 December 2020.

For the Commission

The President

Ursula VON DER LEYEN

ANNEX

**‘MOZZARELLA DI GIOIA DEL COLLE’ EU No: PDO-IT-02384 – 29.12.2017 PDO (X)
PGI ()****1. Name(s)**

‘Mozzarella di Gioia del Colle’

2. Member State or third country

Italy

3. Description of the agricultural product or foodstuff**3.1. Type of product**

Class 1.3. Cheeses

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

‘Mozzarella di Gioia del Colle’ is a fresh stretched-curd cheese made with whole cow’s milk only and a whey starter culture. It is characterised by:

- (a) The following chemical composition (values for fresh cheese): lactose \leq 0,6 %, lactic acid \geq 0,20 %, moisture 58-65 %, fat 15-21 % on a wet basis.
- (b) A taste reminiscent of slightly soured milk, with a pleasant after-taste of fermentation or sour whey (stronger in freshly made cheese) and a sour milky aroma, sometimes accompanied by a slight hint of butter.
- (c) The absence of preservatives, additives and processing aids.

‘Mozzarella di Gioia del Colle’ has a smooth or slightly fibrous surface. The cheese is glossy, not slimy or flaky. It is a white cheese, possibly with a slight straw-coloured tinge depending on the season. When the cheese is cut, it should have a springy consistency and be free of defects. A small amount of white whey should ooze from the cut cheese.

‘Mozzarella di Gioia del Colle’ comes in three shapes: round, twisted into knots, and braided. Depending on the shape and size, portion weight varies from 50 g to 1 000 g. The cheese is marketed immersed in preservative liquid (water, possibly with added salt and slightly acidified).

3.3. Feed (for products of animal origin only) and raw materials (for processed products only)

Only raw whole cow’s milk, collected over two separate milking sessions, is used to make this cheese. The milk may be thermised or pasteurised.

The cheese is made according to the traditional practice of using a whey starter culture.

The milk used to make ‘Mozzarella di Gioia del Colle’ comes from herds of cattle belonging to the Bruna [Brown], Frisona [Friesian], Pezzata Rossa [Red Pied] or Jersey breeds and crosses thereof, where at least 60 % of the total dry matter fed to the dairy cows is grass and/or hay from meadows offering a wide variety of vegetation.

The cows’ diet may also include cereal-based (maize, barley, wheat, oats) and legume-based (soya, broad beans, field beans, field peas) concentrates, meal or flakes, which may also be

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administered as complementary feed. Carob and cereal processing by-products – common wheat bran and middlings, durum wheat middlings – can also be used, provided that they do not exceed 40 % of dry matter. Finally, the cows' diet can be supplemented with vitamin and mineral complexes.

To avoid compromising the quality characteristics conferred on 'Mozzarella di Gioia del Colle' by its link with the local area, at least 60 % of the products used to feed the cows must come from the area described in point 4. This percentage requirement is met using grass and/or hay from meadows located within the identified area. It is the portion of the feed which is associated with digestible fibre, broadly defined as 'forage' (grass and/or hay, pasture, etc.), and it has a major impact on the chemical and organoleptic characteristics of the milk.

Given its geographical, soil and climate conditions, the geographical area has never been – and will never be – suitable for growing cereals such as maize or oilseed crops such as soya from which to obtain protein feedstuffs. As it is not possible to substitute these feedstuffs with high-quality fodder from within the area, the use of complementary concentrates and feedstuffs from outside it must be allowed. These products are easily broken down and dissolved in the rumen (grain size smaller than 0,8 cm – i.e. incapable of stimulating ruminal contractions) so they provide energy (mainly from reserve carbohydrates such as starch) and readily available protein for the rumen microbiome. However, as their role is limited to the physiological function of supporting the microbiome, they have no impact at all on the properties of the milk or of the 'Mozzarella di Gioia del Colle'. Therefore, it is the compulsory grazing for the time it is actually possible (150 days), and the diet rich in fodder produced in the area, which are the aspects of the diet that help determine the chemical and sensorial properties of the raw material and of the finished product. These are therefore two fundamental elements linking the raw material, the finished product and the territory.

3.4. *Specific steps in production that must take place in the identified geographical area*

All of the stages of the production process – rearing and milking the cows, collecting and processing the milk, and making the cheese itself – take place in the geographical area described in point 4.

3.5. *Specific rules concerning slicing, grating, packaging, etc. of the product the registered name refers to*

As it is a fresh product that tends to deteriorate rapidly, 'Mozzarella di Gioia del Colle' must be packaged on the same premises at which it is made, within the geographical area defined under point 4.

'Mozzarella di Gioia del Colle' may be marketed in packages of various weights and/or in individual portions. It is marketed immersed in preservative liquid (water, possibly with added salt and slightly acidified).

3.6. *Specific rules concerning labelling of the product the registered name refers to*

The logo (Figure 1) and production date must be printed on the packaging used to market 'Mozzarella di Gioia del Colle'.

The logo shown in Figure 1 must be displayed prominently on the upper face of the labelling or packaging, as well as on the sides. The logo shown in Figure 1 must be displayed on both sides of single wrapped portions.



Figure 1: logo

4. Concise definition of the geographical area

The production area spans the municipalities of Acquaviva delle Fonti, Alberobello, Altamura, Casamassima, Cassano delle Murge, Castellana Grotte, Conversano, Gioia del Colle, Gravina in Puglia, Locorotondo, Monopoli, Noci, Putignano, Sammichele di Bari, Santeramo in Colle and Turi in the province of Bari; Castellaneta, Crispiano, Laterza, Martina Franca, Massafra and Mottola in the Province of Taranto; and a portion of the municipality of Matera lying adjacent to the municipalities of Altamura, Santeramo in Colle and Laterza, demarcated by the SS 99 and SS 7 trunk roads.

5. Link with the geographical area

The geographical area where this cheese is produced spans parts of the provinces of Bari and Taranto on the Murge plateau, where there are many dairy farms (the ‘cow farms’ of Frederician origin). In this area, where farms and dairies are located quite close together (many even on the same premises), it has long been the local custom to produce ‘Mozzarella di Gioia del Colle’ from cow’s milk: there are references dating from 1885 to the ‘exquisite mozzarella from Apulia’ in a publication entitled *L’Italia agricola, giornale dedicato al miglioramento morale ed economico delle popolazioni rurali* (‘Agricultural Italy, a journal devoted to the moral and economic betterment of rural populations’) (Redaelli, Milan). As well as for certain peculiarities of its geography, soil and climate, the area is distinctive for its ancient deep-rooted cheese-making tradition which has withstood the test of time and been passed down from one generation to the next. Both of these aspects have a profound impact on the characteristics of the milk and cheese and they are the main factors which link ‘Mozzarella di Gioia del Colle’ to the territory.

The chemico-physical and nutritional characteristics of the milk, in particular, are linked to the territory via the diet fed to the animals and the broader environmental context in which they are reared. It is well known that the composition of milk is generally closely linked to the zootechnical context in which the animals live and that the type of volatile compounds is very important for the composition. The aromatic characteristics of the milk depend on these substances, which are partly formed by the animal’s metabolism and partly by the environment. The volatile compounds from the environment can enter the milk either via digestion (rumination) or through the lungs (inhalation). In the geographical area where ‘Mozzarella di Gioia del Colle’ PDO is produced, the geographical, soil and climate conditions have led to the selection of certain naturally occurring and cultivated plant varieties which are resistant to the hot, dry conditions typical of a pseudo-steppe environment. The naturally occurring vegetation is mostly xerophilous and it includes aromatic grasses such as *Thymus striatus*, *Ferula communis* and *Foeniculum vulgare*. These plants – and xerophilous vegetation

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in general – are particularly rich in polyphenols, terpenes, carbonyl compounds and other volatile substances that can have a direct or indirect influence on the milk's flavour. This influence is direct when they are transferred unchanged and indirect when they act as precursors for other volatile metabolites with an impact on the fragrance. The constant presence of the animals in this environment is conducive to volatile principles with aromatic properties being passed into the milk, especially at certain times of the year. On the whole, it is the compulsory grazing and the diet rich in fodder produced in the area that guarantee the distinctive nutritional and functional characteristics of the milk, such as its lipid profile and its volatile compound content. Local environmental conditions and livestock-rearing techniques play an important role in shaping the milk microbiota. All of these factors combined have a major impact on the organoleptic characteristics of 'Mozzarella di Gioia del Colle'.

As regards the influence of the processing technique, this is the traditional, historical method which only allows for fresh milk to be used and local whey added (the starter culture). The whey starter that is added to the milk represents yet another link to the local territory, as it has been made in the same way for a very long time: using the previous day's whey which has been left to turn sour, allowing it to become enriched with the milk enzymes characteristic of the dairy. These aspects guarantee a strong link to the territory, as they determine that most of the microbiological component will also be native. The microbial component plays an important role in the sensorial properties because it is responsible for the formation of the product's 'secondary aromas'. The native microbiological profile of the whey starter culture is guaranteed partly by the characteristics of the milk from which it is derived, but more importantly, by the preparation method and the environment in which it is left to develop. The 'mix of native microorganisms' contained in the starter culture reflects all phases in the production process and is transferred on a daily basis to the milk and therefore to the finished product, thus constantly perpetuating the link to the territory. The methods used by the cheese-maker to manage the whey in the vat, mature the curds and process the mixture afterwards combine to form another distinctive link to the territory. In fact, the combination of all of the processing parameters has an impact on the microbial ecosystem, which is already quite distinctive, thus shaping how the fermentation progresses. The cheese-maker's expertise is essential in that regard as it allows the set of microbes to develop in a unique and irreplicable manner, thus giving the 'Mozzarella di Gioia del Colle' its typical sensorial characteristics. As far as the taste is concerned, this fermentation creates slightly sour notes with a pleasant yeasty after-taste that is stronger in freshly made cheese. The aroma derived from the cheese-making process combines with those which are derived from the milk, i.e. from the fermentation process ('secondary aroma') which creates fresh notes of milk, butter and acid whey and from the raw material ('primary aroma') with its characteristically delicate plant and animal notes. To sum up, the primary aromas reflect the conditions in which the cows were raised, with an important role played by the diet of local forage (fresh or hay) and the secondary aromas are linked to the native microbiota.

As well as the specific characteristics shaped by the techniques used in rearing the animals and making the cheese, environmental, historical and cultural influences also play a part. The landscape (Natura 2000), local geology (Apulia's Murge plateau region, with cretaceous limestone, rocky outcrops and reduced clays) and climate are all significant. In historical and cultural terms, there is a deep-rooted link between the product and the type of farming in the area: small and medium-sized livestock farms which are mostly family-run and structured according to local customs, where cattle spend long periods of time grazing. Finally, there is a great deal of evidence proving that mozzarella has featured in the history of Gioia del Colle, including a documentary produced by the Istituto Luce in Gioia del Colle on 28 August 1950. Other records show that in the early decades of the twentieth century 'a farmer named Clemente Milano rearing Alpine Brown cattle in the Gioia del Colle area was the first to use the milk from his stock to make the special fresh dairy product known as mozzarella' (from *Gioia del Colle, oggi* ('Gioia del Colle, Today'), edited by Giovanni Bozzo for Japigia Editrice, Bari 1970). A 1922 article

by Giovanni Carano Donvito mentions that ‘...‘Mozzarella di Gioia (del Colle)’ was highly appreciated, sought-after and handsomely paid for on the market in Rome and Naples as well as in Bari, Taranto, Lecce, Foggia and other smaller cities’ (*La riforma sociale* (‘Social reform’], F.S. Nitti, L. Roux, L. Einaudi – Roux e Viarengo, Turin). Finally, there is evidence that a great many local events aimed at raising the profile of ‘Mozzarella di Gioia del Colle’ have been taking place since the 1960s.

Reference to publication of the product specification

(the second subparagraph of Article 6(1) of this Regulation)

The consolidated text of the product specification can be consulted on the following website:
<http://www.politicheagricole.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/3335>

or alternatively:

by going directly to the homepage of the Ministry of Agricultural, Food and Forestry Policy (www.politicheagricole.it) and clicking on ‘Prodotti DOP IGP’ (at the top right-hand side of the screen), then on ‘Prodotti DOP IGP STG’ (on the left-hand side of the screen), and finally by clicking on ‘Disciplinari di Produzione all’esame dell’UE’.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/2018. (See end of Document for details)

- (1) [OJ L 343, 14.12.2012, p. 1.](#)
- (2) [OJ C 356, 21.10.2019, p. 10.](#)
- (3) Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs ([OJ L 179, 19.6.2014, p. 36](#)).

Changes to legislation:

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