Final Assessment of Certification Trade Mark Application CTM1914163 lodged by Consorzio del Prosciutto di Parma

The Australian Competition and Consumer Commission (the ACCC), in accordance with the requirements of the Trade Marks Act 1995, has completed its Final Assessment of the above Certification Trade Mark (CTM) application.

The ACCC's Final Assessment is that it is satisfied that:

(a) the approved certifiers demonstrate the attributes necessary to competently certify the goods and/or services in respect of which the CTMs are to be registered;

(b) the rules governing the use of the CTMs would not be to the detriment of the public; and

(c) the rules governing the use of the CTMs are satisfactory having regard to the principles relating to restrictive trade practices set out in Part IV of the Competition and Consumer Act 2010 (the Act) and the principles relating to unconscionable conduct (Part 2-2), unfair practices (Part 3-1), and safety of consumer goods and product related services (Part 3-3) in Schedule 2 (Australian Consumer Law) of the Act.

Signed............................................. (Deputy Chair)

Date....................................................

19/12/18
These are the regulations governing the use of the mark "Ducal crown and triangle device" (the "Certification Trade Mark") of the Consorzio del Prosciutto di Parma (the "Consortium") in relation to the Class 29 goods (the "Regulations").

1. Definitions

1.1 For the purposes of these Regulations, unless otherwise stated:

(a) "Authorised Persons" means the persons authorised to use the Certification Trade Mark as defined in Clause 7.3 of these Regulations.

(b) "Certification Trade Mark" means the mark shown in Annex 1 annexed hereto.

(c) "Consortium" means the Consorzio del Prosciutto di Parma.

(d) "Document 1" means the Articles of Association of the Consortium which are annexed hereto as Annex 2.

(e) "Document 2" means the 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 which is annexed hereto as Annex 3.

(f) "Document 3" means the Commission Implementing Regulation (EU) No. 1208/2013 of 25 November 2013 approving minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Prosciutto di Parma (PDO)) which is annexed hereto as Annex 4.

(g) "Document 4" means the Commission Regulation (EC) No 1107/96 of 12 June 1996 on the registration of geographical indications and designations of origin under the procedure laid down in Article 17 of Council Regulation (EEC) No. 2081/92 which is annexed hereto as Annex 5.

(h) "Document 5" means the Prosciutto di Parma (Parma Ham) Protected Designation of Origin Specifications (the "Parma Ham Specifications") (including the Directive concerning slicing and packaging operations of Parma Ham) which are annexed hereto as Annex 6.

(i) "Document 6" means the Italian Law No. 26 of 13 February 1990 and the Italian Ministerial Decree No. 253 dated 15 February 1993 which are annexed hereto as Annex 7.

(j) "Document 7" means the Italian Law No. 526 of 21 December 1999 which is annexed hereto as Annex 8.

(k) "PDO" means the protected designation of origin.
2. Purposes of the Consortium

2.1 Pursuant to Article 4 of Document 1, the Consortium has been set up to achieve the following purposes. In particular, the Consortium:

(a) protects the PDO “Prosciutto di Parma” (Parma Ham), in compliance with Documents 2, 3, 4, 5, 6 and 7, and other national, European and international standards;

(b) supervises the production, curing and sale of Parma Ham, pursuant to current laws;

(c) protects and promotes the production of Parma Ham;

(d) protects and promotes the PDO “Prosciutto di Parma” (Parma Ham) and the related collective and certification trade marks, thus pursuing the general care of interests related to such designation;

(e) promotes the consumption of Parma Ham in Italy and abroad and develops and supports every and all initiatives aimed at promoting Parma Ham and enhancing its image and reputation;

(f) assists producers in order to facilitate and improve the production and sale of Parma Ham in Italy and abroad.

2.2 In order to achieve the purposes referred to in Clause 2.1 above, the Consortium carries out a number of duties including but not limited to a complete list of duties contained in Article 5 of Document 1. With specific reference to the protection of the PDO and the related trade marks, the Consortium verifies the correct fulfilment of Document 5 and, when necessary, proposes changes and/or implementations, including through new regulatory discipline proposals. Moreover, in its capacity as owner of the PDO and the related collective and certification trade marks, the Consortium supervises the correct use thereof.

2.3 As representative of the common interests of its members, the Consortium has the right to bring any kind of judicial or administrative action before the competent bodies or authorities, both national and/or international, for the protection and safeguard of the PDO “Prosciutto di Parma” (Parma Ham) and of the related collective and certification trade marks.
3. **Representation of the Consortium**

3.1 The person authorised to represent the Consortium is the Chairman of the Board of Directors, whose powers are set out in Article 52 of Document 1.

4. **Ownership of the Certification Trade Mark**

4.1 The Certification Trade Mark is the property of the Consortium and shall not be used by any person except in accordance with these Regulations.

5. **Conditions of membership of the Consortium**

5.1 Membership of the Consortium is granted to:

   (a) all Parma Ham producers (referred to as curing companies), provided they have the qualification of entrepreneurs, whose companies are admitted and specifically identified in the Parma Ham certification system by the approved independent inspection body, namely the Istituto Parma Qualità (Parma Quality Institute);

   (b) breeders, slaughterers, meat cutters-packers, provided they have the qualification of entrepreneurs and operate in the Parma Ham production chain, whose companies are admitted and specifically identified in the Parma Ham certification system by the Istituto Parma Qualità (Parma Quality Institute), pursuant to Article 8 of Document 1. The category of meat cutters-packers includes only those who, in compliance with the specific regulations, even if not producers, slice and package Parma Ham (in this case referred to as pre-packaged Parma Ham).

6. **Use of the Certification Trade Mark**

6.1 The Authorised Persons, as defined in Clause 7 below, may place the Certification Trade Mark only on the packaging of pre-sliced and pre-packaged hams of which the hams are:

   (a) obtained from the fresh legs of pigs born, bred and slaughtered in any one of the regions specified in the Parma Ham Specifications of Document 5 as well as in Article 3 of the Italian Ministerial Decree No. 253 dated 15 February 1993 of Document 6; and

   (b) produced in compliance with the legal and regulatory provisions stated in Documents 2, 3, 4, 5 and 6 and matured in the typical production area ("Typical Area") for a minimum of 12 months from salting.

   In addition, the slicing and packaging operations of the hams may be carried out exclusively in plants located in the Typical Area in strict compliance with (a) Document 5, laws and regulations stated in Documents 2, 3, 4, 6 and 7, and (b) with the necessary presence and control of the competent inspection body, namely the Istituto Parma Qualità (Parma Quality Institute), which also approves the graphic lay out of the packaging as set out in Document 5.

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1 Emilia-Romagna, Veneto, Lombardy, Piedmont, Molise, Umbria, Tuscany, Marche, Abruzzo and Lazio.

2 The territory of the province of Parma - Emilia-Romagna region, Italy - located South of the Emilia Road, at a distance therefrom of not less than 5 km, and up to a maximum altitude of 900 meters, bordered by the river Enza to the East and by the Stirone stream to the West.
6.2 It is expressly prohibited to place the Certification Trade Mark on the packaging or label of hams sliced and packaged outside the Typical Area or to use the Certification Trade Mark on and/or in association with hams sliced, deboned or bone in that do not comply with the Parma Ham Specifications, laws and regulations stated in Documents 2, 3, 4, 5, 6 and 7, (including in or on any kind of advertising material).

The Typical Area includes exclusively the territory in the province of Parma to the South of the Via Emilia at a distance of at least five kilometres from it, up to an altitude not exceeding 900 meters, bounded to the East by the course of the river Enza and to the West by the course of the stream Stirone, as specifically prescribed both in Article 2 of the Italian Law No. 26 of 13 February 1990 of Document 6, and in Document 5 and the latest relevant Document 3.

6.3 In compliance with Article 29 of the Italian Ministerial Decree no. 253/93 of Document 6 and with Document 5, it is forbidden to use qualifiers such as “classical”, “genuine”, “super” and other such qualifying adjectives, mentions or attributes together with the Certification Trade Mark, and/or with the denomination “Prosciutto di Parma”, which pursuant to Document 5 will have to be placed within the triangle. The above limitations concern all kinds of qualification, with the exception of those allowed by the law, i.e. “affettato”/“sliced” or “pre-sliced”/“preaffettato”, which, in any case, must be placed outside the triangle. The wording to be used within the Certification Trade Mark is detailed in Document 5.

7. Persons authorised to use the Certification Trade Mark

7.1 The Certification Trade Mark is available for use by any Person who complies with the requirements provided by the Parma Ham Specifications, laws and regulations stated in Documents 2, 3, 4, 5, 6 and 7 as mentioned in Clause 6 of these Regulations and applicable to the Products that respect those Specifications, laws and regulations.

7.2 The Consortium agrees not to cancel or revoke the certification except in accordance with the Regulations.

7.3 Companies that manufacture, package, distribute and/or market the Products (namely, member companies of the Consortium, non-member companies that produce Parma Ham, distributors and importers of Parma Ham and other companies that produce and distribute food products stuffed with hams) are authorised to use the Certification Trade Mark, provided that the ham fully complies with Document 5, laws and regulations as specified in the present Regulations, as well as in Documents 1, 2, 3, 4, 6 and 7 and that they have obtained specific preliminary authorisation from the Istituto Parma Qualità (Parma Quality Institute), which pursuant to Document 5, controls and approves the production of the Products and the graphic lay out of all the Product packages (hereinafter, the “Authorised Persons”).

7.4 The Authorised Persons will be entitled to place their company name(s) or trading name(s) on the Products bearing the Certification Trade Mark, as long as such activity does not infringe the Intellectual Property rights in the Certification Trade Mark or the laws and regulations attached under Documents 1, 2, 3, 4, 5, 6 and 7.

7.5 The Consortium maintains a register indicating the name(s) and address(es) of the Authorised Persons. Such register is available at the Registered Office and open to public inspection.

7.6 The use of the Certification Trade Mark by the Authorised Persons is subject to their acceptance of the present Regulations.
7.7 No fee is payable for the use of the Certification Trade Mark.

8. **Characteristics of the Products to be certified by the Certification Trade Mark**

8.1 The Certification Trade Mark is to indicate and certify the following characteristics and qualities of the Products:

(a) that the ham is derived from pigs which are born, raised and slaughtered, in compliance with regulated conditions, in continental Italy and specifically in the Typical Area defined in the Parma Ham Specifications of Document 5;

(b) that the ham has been produced in the Province of Parma in a region at least five kilometres to the South of the Via Emilia and up to an altitude not exceeding 900 meters, and bounded to the East by the course of the river Enza and to the West by the course of the stream Stirone;

(c) that the period of maturing, following salting has been not less than 10 months for hams weighing between 7 and 9 kilogrammes and not less than 12 months for those weighing over 9 kilogrammes;

(d) that, apart from salting and refrigeration, the ham has been subjected to no other form of preservation treatment;

(e) that, as a result of the foregoing, as well as other requirements for jointing and preparation, the entire ham is rounded in shape, has the distal end removed, and excess fat trimmed, and is uniformly pink to red in colour, with white fat and has typical fragrant aroma and sweet, non-salty flavour.

8.2 As provided under the Parma Ham Specifications of Document 5, at the end of the curing period, the inspectors of the independent inspection body, namely the Istituto Parma Qualità (Parma Quality Institute) verify that the hams comply with the Parma Ham Specifications rules. The control covers both the verification of the traceability criteria (in order to assess that the Product comes from the Typical Area) and the quality criteria through a specific product test (namely, a horse bone needle, which rapidly absorbs the product fragrances, is inserted in different parts of the ham and smelt by experts who can verify the development of the production process). If the ham complies with the Parma Ham Specifications, at the end of the maturation period it will be marked with the Ducal Crown, in which the word “Parma” is inscribed (such firebrand identifies and authenticates Parma Hams) and will be allowed to be sold as Parma Ham. If the ham is then pre-sliced and pre-packaged, the Certification Trade Mark is placed on the packaging in compliance with Document 5 and with the necessary presence and control of the inspection body, the Istituto Parma Qualità (Parma Quality Institute), which also approves the graphic lay out of the packaging as set out in Document 5.

9. **Inspections**

9.1 The inspections to verify the proper use of the Certification Trade Mark on the market are carried out by the Consortium, while the inspections and control tests to verify the traceability and the quality criteria of the Products mentioned in Clause 8.2 of these Regulations are carried out by the independent inspection body, namely the Istituto Parma Qualità (Parma Quality Institute). All parties involved in the preparation, packaging, distribution and sale of the Products are, therefore, subject to such supervisory activities.

9.2 The Istituto Parma Qualità (Parma Quality Institute) is authorised by the Italian Ministry of Agriculture, Food and Forestry Policies to carry out the inspections referred to in Clause 8.2
of these Regulations. Such independent body meets the requirements to certify Parma Ham under Articles 36 and 37 of Document 2 and is listed among the approved private bodies under Article 14, paragraph 7, of Document 7. Once every year or upon the specific request of the Consortium, the Istituto Parma Qualità (Parma Quality Institute) sends all the information concerning the inspections and control tests it has carried out to the Consortium, in compliance with Article 14 of Document 7.

10. **Sanctions**

10.1 In the event of breach of the present Regulations, the Consortium may decide on one or more of the following measures:

- order to cease the irregularity and to refrain from reiterating it;
- for minor irregularities, temporarily suspend the authorisation to use the Certification Trade Mark;
- for serious breaches, the Board of Directors of the Consortium may decide to exclude a member company and consequently revoke its authorisation to use the Certification Trade Mark, pursuant to Article 20 of the attached Articles of Association;
- initiate legal proceedings before the competent court for the compensation of the damages suffered.

10.2 In the event of breach of the present Regulations, which would result in breaching the laws and regulations concerning the Products and the production of Prosciutto di Parma (Parma Ham), the use of the Certification Trade Mark will no longer be allowed and the Consortium will take any appropriate action to prosecute the infringement.

10.3 Any dispute between the Authorised Persons and the Consortium over the quality of the Products at any stage of production, and/or over the breach or the interpretation of the present Regulations shall be brought before the ordinary Court of Parma (Italy).

10.4 Any refusal on the part of the Consortium to certify or to authorise the use of the Certification Trade Mark in accordance with the Regulations may be appealed before the ordinary Court of Parma (Italy).

11. **Notice of Amendment**

11.1 The Consortium may amend the present Regulations and, in such event, shall notify in writing all those concerned of such amendments. In such event, the Consortium undertakes to inform the Registrar of Trade Marks, Australia.

Approved and signed on 13 April 2018

For and on behalf of the Consorzio del Prosciutto di Parma
Name: Vittorio Capanna
Title: Chairman of the Board of Directors
Annex 1
Certification Trade Mark
Annex 2

Articles of Association of the Consortium
Annex 3

Annex 4

The Commission Implementing Regulation (EU) No. 1208/2013 of 25 November 2013 approving minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Prosciutto di Parma (PDO))
Annex 5

Annex 6

Prosciutto di Parma (Parma Ham) Protected Designation of Origin Specifications, including the Directive concerning slicing and packaging operations of Parma Ham
Annex 7

The Italian Law No. 26 of 13 February 1990 and
the Italian Ministerial Decree No. 253 dated 15 February 1993
Annex 8

The Italian Law No. 526 of 21 December 1999
Trade mark 1914163

Words

Image description  POINTED CROWN IN RECTANGLE,BROKEN,DIVIDED

Status  Indexing Approved

Priority date  19 Mar 2018 (Lodgement)

Type  Certification

Rules for registered Certification trade marks

Class  29

Kind  Device

Dates

Lodgement  19 Mar 2018

Owner

Consorzio del Prosciutto di Parma

Address for service

Corrs Chambers Westgarth

Goods & Services

Class 29:  Hams and cured meats

Indexing constituents

Image

BROKEN CROWN,POINTED DASH+ DIVIDED ELLIPSE FOUR-SIDED RECTANGLE RIGHT-ANGLED ROUND STYLISED TRIANGLE
ARTICLES OF ASSOCIATION

Approved by the Ministry of Agricultural, Food and Forestry Policies on 17/1/2012

TITLE I

NAME – HEADQUARTERS – DURATION – PURPOSE – DUTIES – OBJECTIVES

Article 1 (Name)

1. The “Consorzio del Prosciutto di Parma” is a non-profit voluntary consortium of "Parma Ham" producers, with external activities, under art. 2602 et seq. of the Italian Civil Code, which can be joined by legally recognized companies operating under the Parma Ham PDO control system, as defined by and with the methods specified by current regulations set forth by PDO and GPI protection consortia.

2. The Consortium operates to all effects of the law and specifically to the ends set forth by art.14, paragraph 15 et seq. by law 21 December 1999, no.526, and by national and European standards regulating the "Parma Ham" Protected Designation of Origin recognized and protected by EC regulation no.510/06

Article 2

(Headquarters and authority)

1. The Consortium has its headquarters in Parma.

2. The Consortium may establish and close secondary offices in Italy and abroad.

3. In the attainment of its corporate purposes, the Board of Directors shall decide on the purchase of registered or non-registered movable goods and the General Meeting on the purchase of real property.

Article 3

(Duration)

1. The duration of the Consortium shall be until 31 December 2050 and may be extended before the expiry date with resolution of the Extraordinary General Meeting.

Article 4

(Company Purpose)

1. In full compliance with applicable national and EU regulations, the Consortium has the following purposes:
   a. protection of the designation of origin “Parma Ham”, pursuant to art. 13 of EC Regulation no. 510/06 and other national, European and international standards;
   b. supervision on the production, curing and sale of “Parma Ham”, pursuant to current laws;
   c. protection and promotion of “Parma Ham” production;
   d. promotion, dissemination of knowledge about the Protected Designation of Origin "Parma Ham" and the trademarks connected to it, thus pursuing the general care of
interests related to this designation;
e. dissemination of knowledge and promotion of consumption of "Parma Ham" in Italy and abroad, as well as development and support of every and all initiative, including advertising, promotions, public and commercial relations, aimed at promoting "Parma Ham" and enhancing its image and reputation;
f. assistance to producers with a view to facilitating and improving the production and sale of "Parma Ham" in Italy and abroad.

**Article 5**
*(Duties)*

1. Within the scope of activities aimed at the attainment of its purposes, the Consortium shall perform the duties that are necessary and advisable to protect the interest of the "Parma Ham" PDO, in particular:

a. it shall promote the correct application of the Production Specifications for PDO "Parma Ham" and propose changes or implementations, including through new regulatory discipline proposals;
b. it shall propose and implement, within the limits of one's competences, all the initiatives aimed at technical, qualitative and economic development and improvement of "Parma Ham", as well as all the initiatives designed to improve every production phase, both by carrying out study and scientific research activities and through the provision of technical and scientific information, directives, assistance and aids;
c. it shall protect, promote, enhance and safeguard the general interests of PDO "Parma Ham" including through information to consumers, distribution sector and the media, as well as all the possible subjects involved; to this end the Consortium may directly or indirectly promote and fund, also through other Associations or Agencies, any promotional and/or advertising activity or initiative designed to disseminate knowledge of the trademark and consequently consumption of the product, including through the organization of cultural, artistic and advertising initiatives, which may be free of charge, such as conventions, shows, exhibitions, meetings, during which the Consortium or specialized agencies hired for the purpose may distribute the product and advertising objects;
d. as part of the initiatives carried out with the aim of disseminating knowledge of the trademark and of the relevant PDO, the Consortium shall organize and finance meetings and visits by Italian and foreign journalists, directly or indirectly through advertising and public relation agencies;
e. in its capacity as owner, the Consortium shall control the use of consortium trademarks and of the "Parma Ham" PDO mark;
f. it shall perform the duty of supervision, in its capacity as agency authorized by competent State Administrations, with the execution of all the activities connected to this duty, in accordance with the procedures set forth by the current regulation, with the authority and powers established therein, through its supervisory agents;
g. it shall perform actions for protection, supervision and safeguard of the "Parma Ham" PDO during the phases of production, curing and sale of "Parma Ham", and carry out any action – also in court – for rigorous protection of the designation, distinctive indications and marks, at repressing abuses and irregularities by anyone, preventing and repressing any offences or conduct affecting the interests of the designation, of the Consortium and/or of its members, with express right to claim compensation for the damage suffered;
h. it shall bring actions before any competent body or authority, both national and international, for the protection and safeguard of "Parma Ham" and of the trademarks of which it is the sole holder and depositary, as representative of the common interests of the Consortium members;

i. it shall bring any type of judiciary proceeding, in civil, criminal or administrative sections, or of arbitration proceedings, at any level and type of jurisdiction. It shall bring civil actions in criminal proceedings and intervene in administrative proceedings resulting from the supervisory, protection activity of the Consortium or of other subjects; it joins civil proceedings for compensation of damages with reference to the above mentioned criminal and administrative proceedings;

j. it shall arrange for the application of administrative or disciplinary measures in case of breach of the provisions of current regulations;

k. it shall perform all the duties and activities set forth in the current regulations as well as those delegated by Municipalities, Provinces, Regions, State and European Union;

l. it shall promote and manage interprofessional agreements, and the planning of production in accordance with the methods and procedures set forth in current national and European legislation;

m. it may set up special bodies, or trading companies of which it may hold the entire share capital, acquire stakes in bodies, companies or agencies that may, in any way, favour the achievement of the Consortium’s aims;

n. it may implement projects that involve the purchase of "Parma Ham" also on the part of the Consortium for use in institutional activities, or in promotional activities designed to favour the penetration of specific markets or for charity activities;

o. for the attainment of the above objectives (within the limits imposed by current regulations and in line with the achievement of the consortium's purposes) the Consortium may perform all the actions that the Board of Directors considers necessary or useful for the attainment of the corporate purposes or for the interest of the industry and not in contrast with these Articles of Association.

**TITLE II**

**PROTECTED DESIGNATION OF ORIGIN AND CONSORTIUM TRADEMARKS**

**Article 6 –**

**Definition of product**

1. For the purpose of these Articles of Association, "Parma Ham" shall mean the protected designation of origin ham registered under EC regulation no. 1107 of 12 June 1996, certified as such pursuant to art.11 of EC Regulation no.510/06, the preparation of which - from the origin of the pigs, to the origin of raw materials, to completed maturation as well as any subsequent processing and packing - complies with the Production specifications registered in accordance with the European regulation.

**Article 7**

**Trademark**

1. The Consortium shall have intellectual property over the registered trademark consisting in a five-pointed "Ducal Crown" that includes the word "Parma", shall safekeep the dies and material supports for the branding of hams (dies and supports that can also be given to third parties for safekeeping) and shall ensure that, after the inspection has been successfully performed by the approved inspection body, the trademark is applied in accordance with the law and of the Production Specifications, and that the tools are materially available.
2. The consortium trademark shall be associated with the symbols required for certification of conformity of every phase of the production process and shall also be used as distinctive sign of the PDO.

TITLE III
CONSORTIUM
MEMBERS

Article 8
(Admission into the Consortium)

1. Individual admission into the Consortium is granted to:
   a. all "Parma Ham" producers (referred to as curing companies), provided they have the qualification of entrepreneurs, whose companies are admitted and specifically identified into the "Parma Ham" certification system by the approved inspection body;
   b. breeders, slaughterers, meat cutters-packers, provided they have the qualification as entrepreneurs and operating in the "Parma Ham" PDO production chain, whose companies are admitted and specifically identified into the "Parma Ham" certification system by the approved inspection body.

2. Under these Articles of Associations, with reference to the "Parma Ham" PDO, the category of meat cutters-packers includes only those who, in compliance with the specific regulations, even if producers, slice and package "Parma Ham" (in this case referred to as pre-packaged "Parma Ham").

3. The subjects indicated in paragraph 1 may also be admitted in associated form. To this end, it is necessary for the subjects belonging to the same producers' association to collectively grant power of representation to an entrepreneur belonging to the same producers' association as the principals or to a producers' or trade association (which can also have cooperative form) that must be of the same type as the one to which the principals belong.

4. The principal, except in the case of producers' associations or trade associations, shall be a member of the consortium.

5. The power of representation mentioned in the paragraph above shall be granted with certified private deed or, in the cases admitted by the law, with a certified copy of the resolution of the general assembly. The representative shall have exclusive and court representation for any operation, deed and declaration of whatever nature relating to legal situations or in any way connected with or deriving from the consortium relationship including possible judicial or arbitration disputes with the same. However, the Consortium shall be entitled to directly execute against the single companies any liability relating to them individually.

6. Revocation of powers, albeit for just cause, shall be promptly notified to the Board of Directors and shall indicate the new representative or other subjects authorized to represent them in accordance with the provisions of these Articles of Association. The above revocation shall come into effect once this notification is received by the Board of Directors.

7. In case of withdrawal, forfeiture, exclusion of the representative from the Consortium and, for sole-proprietor firms, in case of death or disqualification of the proprietor, the principals shall be entitled to appoint, within three months from the fact that caused the interruption, a new representative to replace the one affected by the event.
8. In case of withdrawal, forfeiture, exclusion of a principal company and, for sole-proprietor firms, in case of death or disqualification of the proprietor, the other subjects shall maintain their status as member of the consortium, according to their respective qualification of principal and representative.

9. The subjects referred to in this article may be admitted into the Consortium only after finalizing their acceptance of the inspection system and starting their production activity relating to Parma Ham PDO.

Article 9
(Formalities for admission and obligations for curing companies)

1. Admission applications shall be addressed, in writing, to the Board of Directors and accompanied by documents proving possession of the prerequisites set forth in the current rules for the production of PDO Parma Ham, with the following unilateral statements of commitment explicitly accepted by the applicant:

a. statement whereby the applicant acknowledges and accepts all the obligations and practices set forth in these Articles of Association, by the relevant application regulations authorized by the competent State Authorities, and by current rules, and is ready to bear all the expenses for the procedure of admission into the Consortium;

b. indication of the company's qualification as curing company, proven by the certificate of registration in the Company Register of the relevant Chamber of Commerce, Industry, Artisan Crafts and Agriculture together with indication of the total quantity, expressed in kilograms and number, of legs used for the production of "Parma Ham" and raw hams not certified as PDO that may be produced in the typical production area, whether obtained from national or foreign pork legs, made per year in the previous three-year period or in a shorter period of activity. If no other suitable control instrument is available, companies who also produce other dry-cured meats in their production facilities in the typical production area, shall indicate in the above declaration also the quantity of raw material used for the production of those dry-cured meats for each year in the last three-year period;

c. commitment to supply, each year, the production data needed for correct application of the provisions of the Articles of Association with authorization to perform the necessary inspections.

d. in case of application in associated form, the applicant shall attach to the application a certified copy of the power of attorney - or, where applicable, a certified copy of the resolution of the relevant body - as well as the documents of the representative and of each of the represented subjects and their declarations as per letters "a", "b" and "c" above.

Article 10
(Formalities for admission and obligations for other subjects considered suitable and operating in the PDO production chain)

1. Admission applications shall be addressed, in writing, to the Board of Directors and accompanied by documents proving inclusion in the Parma Ham PDO inspection system, with the following unilateral statements of commitment explicitly accepted by the applicant:

a. statement whereby the applicant acknowledges and accepts all the obligations and practices set forth in these Articles of Association, by the relevant application regulations and by current rules, and is ready to bear all the expenses for the procedure of admission into the Consortium,
b. indication of one's category in the production chain - breeders, slaughterers, meat cutters-packer - proved by the certificate of registration in the Company Register of the Chamber of Commerce, Industry, Artisan Crafts and Agriculture in the relevant Province, and by the certificate issued by an authorized body;

c. indication of the total quantity of product certified as conforming and quantity of nonconforming product, where possible, for each category, based on suitable documents for the year before the year in which the application is submitted, or to a shorter period of the current year, by an authorized inspection body;

d. in case of application in associated form, the applicant shall attach to the application a certified copy of the power of attorney - or, where applicable, a certified copy of the resolution of the relevant body - as well as the documents of the representative and of each of the represented subjects and their declarations as per letters "a", "b" and "c" above;

e. preventive authorization for the Consortium to carry out the necessary inspections with the aim of collecting production data and other information as indicated in the previous points of this article.

Article II
(Admission procedure)

1. The application for admission into the Consortium shall be voted by the Board of Directors within 60 days from reception of the application.

2. If the application is accepted, the Consortium shall notify the applicant, by registered letter with advice of receipt, on the positive resolution; the applicant shall pay the Consortium the membership contribution indicated in article 25, in order to be entered in the Book of members pursuant to article 15 herein.

3. Rejection of an application shall be justified and notified to the applicant with registered letter with advice of receipt.

Article 12
(Obligations of members)

1. Consortium members shall have the following obligations:

a. to observe the Article of Association, the Production specifications, the provisions of the current regulations, the rules and directives issued by the Consortium and any other provision of the consortium regarding the attainment of statutory purposes and, in particular, the performance of duties delegated by the State for the application of the law or other regulations;

b. to comply with the resolutions passed by the Consortium Bodies and by their internal departments;

c. to use the consortium trademark within the limits of the authorization granted by the Consortium and in conformity with the provisions of current laws;

d. to pay the membership fees and contributions pursuant to these Articles of Association;

e. to provide to the Consortium bodies and their internal departments all the collaboration needed or useful for the attainment of the objectives and purposes of the Consortium;

f. to refrain from any conduct that is incompatible with the existence, rules and regulations and operations of the Consortium;

g. to allow the necessary audits for the implementation of the consortium's objectives and purposes and/or aimed at ascertaining proper fulfilment of the obligations undertaken and to provide the data
requested regarding the production activity of their company;
h. to provide an indication of the potential quantity of hams that may be processed during a yearly production cycle (with relevant support documentation) and subsequent modifications;
i. to refrain from requesting, for the duration of the Consortium, the division of the Consortium's funds;
j. to promptly report to the Consortium any change in the type of business of the member company and in the persons authorized to represent it; this communication shall indicate the new company, new name or persons appointed to represent the company under the provisions of these Articles of Association.

Article 13
(Prerogatives of members)

1. Consortium members shall have the right to:

a. qualify themselves as "members of the Parma Ham Consortium", within the limits set forth by the Board of Directors;
b. apply the provisions passed with the resolutions of the Board;
c. active electorate;
d. passive electorate; for production companies, passive electorate is granted only to members who, in the last three consecutive years or in a shorter period of activity, have produced a quantity of "Parma Ham" accounting for at least 66% of their total production of cured ham in factories located in the typical area of "Parma Ham" PDO production.
e. avail themselves of the assistance of the Consortium on all the matters set forth by these Articles of Association, in accordance with the method defined by the Board of Directors;
f. use the trademark referred to in article 7 on the hams produced by their company in accordance with provisions of the law and regulations, with the provisions of these Articles of Association, of the rules on trademark use, of the Production specifications and subject to certification of conformity of the hams;
g. be notified on the system of general meeting resolutions.

Article 14
(Services to non-members)

1. The Consortium may provide the assistance and services described in article 13 point e), or part thereof, also to the subjects indicated in article 8 par. 1 letter b) (breeders, slaughterers, meat cutters-packagers) not members of the Consortium, as well as other classes of operators in the production chain of "Parma ham" (e.g. deboning butchers), who have presented an explicit request and paid the fee for the service established as yearly contribution by the Board of Directors.

Article 15
(Member qualification)

1. The qualification as member of the consortium is obtained by registration in the Book of Members.

2. Registration of new subjects in the Book of Members shall take place only after payment of the admission feed.

3. The Book of Members shall apply with regard to elements of identification of member companies and of the persons authorized to represent them.
Article 16
(Persons authorized to represent members)

1. Active and passive electorate shall be granted exclusively to the single members.

2. For the purpose of active and passive electorate, consortium members shall be represented by their legal representatives and, in the case of sole-proprietor firms, by the proprietor of the company.

3. Furthermore, for the purpose of active and passive electorate, consortium members may be represented also by their managing directors, by managing partners (in case of partnerships) and more in general by the members of the Board of Directors of the company or by an agent.

4. The qualification of the individuals authorized to represent the member company shall be certified with documents provided by the parties involved.

5. In case of admission in associated form, active electorate is performed by the principals exclusively through the representative who, in case this is a legal entity or body or association, albeit non recognized, shall act on behalf of the parties indicated in paragraphs 2 and 3 of this article.

6. In case of admission in associated form, passive electorate is granted directly to each single principal, in the person of the parties indicated in paragraphs 2 and 3 of this article.

7. The names and qualifications of the persons authorized to represent consortium members under the previous paragraphs, shall be entered in the Book of Members next to the name of the member.

TITLE IV
WITHDRAWAL, FORFEITURE, EXCLUSION

Article 17
(Loss of member qualification)

1. The qualification as member of the consortium shall be lost in case of withdrawal, forfeiture and exclusion as provided herein.

2. The loss of member qualification shall not give any right to refund of fees paid for whatever reason and to the distribution of the consortium funds, nor does it imply release from the obligation to pay the fees already owed at the time of withdrawal, forfeiture or exclusion and accrued up to the time in which the withdrawal, forfeiture or exclusion take effect. With reference to curing companies, the obligation to pay the fee for protection and promotion shall continue until "Parma Ham" production continues, even if membership in the Consortium is terminated.

Article 18
(Withdrawal)

1. A member may withdraw from the consortium at any time by written notice to be sent to the Consortium.
2. Withdrawal shall take effect from the moment the above notice is received at the headquarters of the Consortium.

3. Withdrawal on the part of a member who has terminated its business shall take immediate effect from the time of the notice to the Consortium.

4. Withdrawal, with immediate effect, on the part of a member who does not agree with resolutions that amend the Article of Association of the consortium shall be admitted provided the withdrawing member notifies the Consortium by registered letter with advice or receipt within 45 days from the date of the notice to consortium member of the approval of the amended Articles of Association by the Ministry of Agricultural, Food and Forestry Policies.

5. In case of admission in collective form, the statement of withdrawal shall be notified by the authorized representative, on pain of nullity.

**Article 19**  
(Forfeiture)

1. The Board of Directors ascertains, with resolution to be notified to the interested person, the forfeiture of members who:

   a. have lost the prerequisites for admission;
   b. have interrupted their productive activity for a period of 12 months or more, except in force majeure cases, in which case the Board shall evaluate each case individually;
   c. have terminated their activity;
   d. have been declared bankrupt or are undergoing other insolvency procedures provided by the Bankruptcy act;
   e. in case of collective admission, together with the other principals have not replaced their representative within the term set forth in article 8 paragraph 7 herein.
   f. who have in any way made illegal or unauthorized use of the consortium trademarks, have counterfeited or who, through unauthorized production of the trademarks, have tried to deceive buyers or consumers; in this case forfeiture shall take effect from the moment when the court decision has become final.

**Article 20**  
(Exclusion)

1. A resolution of the Board of Directors may exclude from the Consortium members who:

   a. have unduly used, without the required authorization from the consortium, or after suspension or revocation of an authorization, the consortium trademark as distinctive PDO mark on their hams;
   b. have in any way infringed the law and/or these Articles of Association, or have committed any other action resulting in breach of consortium directives, which in any way damage the Consortium or general interest of the members;
   c. have supplied to the Consortium incorrect information with respect to production data, with effect on their vote value.
   d. have been short in payment for over 90 days, with respect to the deadlines for payment of fees, contributions, charges and any other amount owed to the Consortium.
Article 21
(Precautionary suspension)

1. In the cases envisaged in article 20 and in case of illegal use or counterfeiting of the consortium trademarks referred to in point f of article 19, where a criminal, civil or administrative proceeding is brought, the Board of Directors may decide for precautionary suspension of the member while awaiting the sentence of the Authority in charge of the proceeding.

Article 22
(Transfer of member company)

1. In case of transfer of the member company, for whatever reason, unless otherwise agreed, the buyer shall take over the contract with the Consortium provided they are able to prove admission in the inspection system.

2. However, if a just cause exists, in case of transfer of the company by inter vivos agreement, the Board of Directors may decide, within 90 days from news of the transfer, to exclude the buyer from the Consortium.

Article 23
(Procedural rules)

1. Consortium members against which the consortium intends to enforce the provisions of articles 19, 20, 21 and 22 paragraph 2 must be informed, by registered letter with advice of receipt, as to the alleged facts with invitation to answer in writing. The answer must be received by the Consortium within 30 days from receipt of the above notification.

2. After this time has elapsed, the Board of Directors shall pronounce forfeiture, exclusion or suspension.

3. The resolutions of the Board of Directors mentioned in the preceding paragraph shall specify the reasons on which they are based and shall be notified to the person involved by registered letter with advice of receipt.

TITLE V
FEES

Article 24
(Consortium fees and charges)

1. The Consortium carries out its functions with the resources coming from the fees and charges defined in Title V and not through a system of ex post charging of costs incurred. The fees and charges owed to the Consortium are:
   a. admission fee;
   b. yearly fee;
   c. extraordinary charges and fees;
   d. PDO charge;
   e. charge for access into "Parma Ham" PDO system.

Article 25
(Admission fee)

1. The fee for admission into the Consortium shall be established by the Board of Directors and shall be charged to new members, una tantum, in accordance with the methods decided by the Board.

Article 26
(Yearly fee)

1. The yearly fee, fixed by the Board of Directors, shall be charged as a single payment in the month of December, to all the members in the Book of consortium members as at 31 October of that year.

Article 27
(Extraordinary charges and fees)

1. Extraordinary charges and fees shall be established by the Board of Directors to pay for special activities or cope with extraordinary liabilities relating to the corporate purpose and statutory functions and shall be paid in the amount and way established each time by the Board.

2. The Board of Directors shall establish the amount and condition for payment of the annual fee owed by the non-members indicated in article 14.

Article 28
(PDO charge)

1. Pursuant to Mipaaf decree of 12 September 2000 no. 410, all the producers, whether or not members of the consortium, who use the Protected Designation of Origin and the corresponding trademark shall pay the charge fixed by the Board of Directors according to the criteria set forth in the following paragraphs.

2. The amount of the charge shall be used to cover the running costs of the Consortium for pursuit of its corporate purpose and for the performance of its statutory and legal functions.

3. As regards the curing companies, the charge shall be paid for each pork leg used in PDO production.

4. As regards production sectors other than curing companies, Consortium members shall pay the above charge according to the quantity of product (pigs bred, pork legs slaughtered, ham sliced and packed) placed on the PDO production circuit, by each business, as a percentage of the total production of consortium members in the same category. In this case the production data used, both for the companies and for the category, are those from the year prior to the one for which the charges are being calculated, as indicated by the authorized certification body.

5. In the cases set forth in paragraph 4 above, the total share charged to each single category corresponds to the percentage of representativeness actually expressed by the representatives of the same category in the Consortium and is calculated on the basis of the subjected registered in the Book of members as at 31 December of the previous year. This amount is
6. Under the provisions of L.D. no. 297/04, failure to pay the PDO charge shall result in suspension of the right to use the protected designation of origin and the trademark, until the cause which gave rise to this measure is removed.

**Article 29**

(Charge for access into "Parma Ham" PDO system)

1. The charge for access into "Parma Ham" PDO system shall be owed "una tantum", by newly established curing companies at the time of admission into the inspection system of the "Parma Ham" PDO. Based on the provision of decree no.410 12 September 2000, the above charge shall also be owed by curing companies non-members of the Consortium.

2. For the purpose of this provision, newly established companies shall be considered equal to companies which, although admitted to the Parma Ham PDO, have been expelled by the official inspection system and have been excluded for a continuous period of three or more years.

3. The admission charge shall not apply in cases of company transfer regulated by these Articles of Association and in all cases of transfer and/or leasing of a company, business unit or of a single production plant (even when the plant is not a separate business unit) subject to the condition that the company, business unit or plant at hand have been included and operating in the official inspection system of Parma Ham PDO for at least one year at the time the transfer or leasing contract is finalized.

4. The amount of the charge shall be determined - according to the method defined by the Board of Directors and ratified by the General Meeting - on the basis of the Parma Ham production that the new curing company has declared as its objective. This figure shall be contained in the declaration that the curing company must transmit to the Consortium upon submission to the authorized inspection body of the application for inclusion in the Parma Ham PDO certification system.

5. Every year the Consortium shall carry out the necessary checks to determine how close these estimated figured are to the production actually achieved during the first ten years of activity - including in cases of company transfer - and, if needed, adjusts the value of the fee.

**TITLE VI**

**CONSORTIUM BODIES**

**Article 30**

(Permanent bodies)

1. The Consortium Bodies are:
   a. the Consortium Members’ General Meeting (hereinafter "General Meeting");
   b. the Board of Directors (hereinafter "Board");
   c. the Board of Auditors.
2. The Board of Directors shall include:
   a. the Executive Committee (hereinafter "Committee");
   b. the Chairperson of the Board of Directors (hereinafter "Chairperson");
   c. two Deputy Chairpersons of the Board of Directors (hereinafter "Deputy Chairpersons").

**Article 31**
*(General meeting of members)*

1. The General Meeting of Consortium members shall include all the individual and associated members and may also be convened outside its registered office, provided it is in Italy. The General Meeting of Consortium members may be ordinary or extraordinary and shall be validly formed, in second call, even with the exclusive presence of the category of curing companies.

2. Each production category listed in these Articles of Association shall be entitled to a percentage of representation in the General Meeting determined as follows:
   a. the category of curing companies shall be entitled to a 66% representation share, if the curing companies members of the consortium represent 100% of the quantity produced for the Parma Ham PDO by their category;
   b. the category of pig breeders shall be entitled to an 11.33% representation share, if the breeders members of the consortium represent 100% of the quantity produced for the Parma Ham PDO by their category;
   c. the category of slaughterers shall be entitled to an 11.33% representation share, if the slaughterers members of the consortium represent 100% of the quantity produced for the Parma Ham PDO by their category;
   d. the category of meat cutters-packers shall be entitled to an 11.33% representation share, if the cutters-packers members of the consortium represent 100% of the quantity produced for the Parma Ham PDO by their category;

3. The representation values in the above paragraph refer, for each category, to the assumption that all the companies in the category adhere to the Consortium.

4. In the cases not included in the above paragraph, the representation share of the category is reduced by a percentage proportional to the production share in the PDO circuit by companies in the same category that have not joined the Consortium.

5. In order to identify the distribution of costs and define vote entitlements in the General Meeting, at the beginning of each year the Board identified, based on the membership applications received by the deadline indicated herein, the actual representation percentages in the General Meeting for each category in the Consortium.

**Article 32**
*(Subjects authorized to attend the General Meeting)*

1. The General Meeting may be attended by all the members of the consortium, represented by subjects indicated in article 16, who 30 days before the day set for the Meeting:
   a. are registered in the Book of Members;
   b. have paid all fees and charges due; members will be considered up-to-date with payments if they have settled, within the term indicated in this paragraph,
all amounts due before the deadline and if they can supply, when requested and by the date indicated by the Consortium, proof of the payment.

2. Attendance in the General Meeting shall not be granted to subjects who before the meeting have been subject to forfeiture or exclusion or precautionary suspension, or who have exercised the right to withdraw or who have transferred their company under articles 18, 19, 20, 21, 22 and 23 herein.

3. The subjects authorized to attend the General Meeting in accordance with the above paragraph shall have the right to be represented, in each General Meeting, by giving proxy to a first degree relative, to a spouse or to a company employee.

3. In case of admission in associated form, the legal representative of the appointed organization shall have the right to be represented in the General Meeting by giving written proxy, for each General Meeting, to a member of the organization's or association's corporate bodies.

4. The representative shall have access to the General Meeting only after handing in the proxy to the Consortium's officers.

5. A representative may not receive proxy from more than two consortium members in the same General Meeting.

Article 33
(General Meeting procedure and convening)

1. The General Meeting shall be chaired by the Chairperson or by a Deputy. The Chairperson shall appoint a secretary and where necessary - two scrutineers, guide the discussion in line with the agenda and direct voting procedures.

2. The Ordinary General Meeting shall be convened by the Board whenever deemed necessary but at least once a year, within the legal terms for the approval of the Consortium's final accounts. It shall also be convened when requested by the Board of Statutory Auditors or by one fifth (1/5) of the members.

3. An Extraordinary General Meeting shall be convened by the Board upon their initiative or justified request of the Board of Statutory Auditors.

4. Requests for convening of general meeting under paragraphs 2 and 3 above shall be justified and shall include the items of the agenda; the meeting shall be convened within two months from receipt of the request.

5. Ordinary and extraordinary meetings shall be convened by written notice to the single members registered in the Book of Members, to be sent at least 20 days prior to the date fixed for the meeting. The notice shall contain the items of the agenda to be subjected to the resolutions of the General Meeting and date, time and place of the General Meeting. The above notice may also indicate the date, time and place in case of second call meeting.

Article 34
(General Meeting votes)
1. The distribution of the representation percentages in the General Meeting among the four categories shall be carried out in accordance with paragraph 2 and subsequent paragraph of article 31 herein. For categories where only a part of the companies are members of the Consortium, the above representation values, and consequently the representation share for that category, shall be recalculated in proportion to the actual Consortium membership figures, over the total of the companies in the category operating in the Parma Ham PDO circuit, based on the data supplied by the authorized inspection body.

2. The number of votes of each consortium member shall be determined on the base of inclusion in the production sectors set forth in paragraphs 3 and 4, according to the principles set forth by art. 5 of M.D. 12 April 2000.

3. By 31 March of each year the Board shall identify five production classes for each production category. The classes shall be identified by setting minimum and maximum production limits so that the number of consortium members in each production classes is as close as possible to 20% of the total number of members in the corresponding production category. This way the Board defines both the production levels of each class and the number of consortium members included.

4. This division shall be performed separately for each category of members in the Consortium so that for each category five production classes are identified together with their production levels and the number of consortium members included.

5. All the consortium members belonging to the same production class shall be entitled to the same number of votes unless as provided by paragraph 7 below. Companies in the first class shall be entitled to 1 (one) vote, those in the second class to 3 (three) votes, those in the third class to 6 (six) votes, those in the fourth class to 9 (nine) votes; those in the fifth class shall be divided into two groups each representing 50% of the companies in that class: companies in the first group shall have 13 (thirteen) votes, while those in the second group shall have 18 (eighteen) votes. In the event that the fifth class is made up of an odd number of companies, the group of members entitled to 13 votes shall have one company more than the group entitled to 18 votes.

6. In the event of associated admission, the representative shall be entitled to a number of votes equal to the sum of the votes of all the members represented.

7. For curing companies only, the number of votes set forth in paragraph 5 assigned to curing companies with exclusive production of Parma Ham PDO, shall be increased by 30% (thirty percent).

8. Under the above paragraph, exclusive Parma Ham PDO production shall mean that the curing company's entire production activity, regarding cured hams produced in the typical production area, is destined to Parma Ham PDO production, with a maximum tolerance percentage of 10% (ten percent).

9. The calculations for the above paragraphs shall be made annually on the basis of the average for the last three years, or shorter period of production activity, of the quantity of product sent to Parma Ham PDO production by each consortium member, based on the production data supplied by the authorized inspection body, and shall remain in force until the calculations for the following year.

10. With the exception of newly established companies and those that have suspended their productive activity for at least one year, each member shall declare - on pain of inapplicability of
the provisions of paragraph 7 herein and art. 13 paragraph 1 letter d) - at the time of the membership application and by 31 January of each year, the quantity of product sent to Parma Ham PDO production the previous year, as well as all the other information requested by these Articles of Association and shall also enable and accept the inspections that the Consortium deems necessary to verify the correctness of the data supplied.

Article 35

(General Meeting resolutions)

1. The ordinary and extraordinary general meeting on first call shall be validly formed when attended by a number of members representing at least half of the vote entitlement of each production category represented in the Consortium.

2. The second call ordinary general meeting shall be validly formed whatever the number of attending members and whatever their production category.

3. The second call extraordinary general meeting shall be validly formed when attended by a number of members representing at least one third (1/3) of the total vote entitlement.

4. In both ordinary and extraordinary general meetings, voting shall normally be by roll-call open vote. In both ordinary and extraordinary general meetings, voting shall be with secret ballot when appointing consortium bodies, when voting on measures regarding single individuals, or when requested by the majority. In these cases, the consortium members shall receive a card indicating the number of votes to which each of them is entitled.

5. In case of admission in associated form and secret ballot, the representative shall receive a card with the number of votes equal to the total sum of the votes to which the represented members are entitled.

6. For all General Meeting resolutions, each category expresses their vote separately from the other ones. A report shall be drawn up showing the number of favourable votes, unfavourable votes, abstainers and void votes.

7. For each category, the percentage value of favourable and unfavourable votes shall then be calculated. The percentage values expressed by the single categories shall then be added to verify whether the majority requested for resolution, set forth in the following paragraph, has been achieved.

8. The General Meeting shall pass resolutions based on the simple majority of the votes cast, on the terms set forth in the previous paragraph. For issues concerning amendments to the Articles of Association, of the production specifications and production scheduling, resolutions shall be passed with a qualified majority of 66% of the votes cast, on the terms set forth in the previous paragraph. For statutory amendments relating to the fees paid by categories other than curing companies, resolutions shall be passed with a qualified majority of 66% of the votes cast with favourable vote of at least one member of the category at hand.

9. Directors shall abstain from voting on resolutions concerning the final accounts for the year, the management report and resolutions regarding their work.

10. Resolutions passed at the General Meeting shall be binding for all the consortium members, including those who are absent or who dissent.
11. The General Meetings procedure and the resolutions passed shall be recorded in the Minutes signed by the Chairperson or his replacement, and by the Secretary.

12. The role of secretary in Extraordinary General Meetings shall be performed by a Notary.

Article 36
(Powers of the general meeting)

1. The Ordinary General Meeting
   a. shall approve the final accounts for the year and the management report;
   b. shall elect the members of the Board of Directors, the members of the Board of Statutory Auditors and its Chairperson in accordance with the provisions of these Articles of Association;
   c. shall pass resolutions on issues submitted by the Board of Directors and envisaged by these Articles of Association, including for the implementation of its regulations, as well as on any other item in the agenda as specified in the convening notice;
   d. shall pass resolutions on proposals for amendments to the production specifications, to be submitted for approval to the Ministry of agriculture, food and forestry policies and on any measures concerning the scheduling of production;
   e. shall ratify the charge for access into the PDO system fixed by the Board of Directors pursuant to article 29 herein;
   f. shall pass resolutions on proposals for establishment of bodies and companies pursuant to letter m) of article 5 of these Articles of Association and on the realization of projects under letter n) of that article;
   g. shall pass resolutions on matters pertaining to the Consortium management and not referred to the competence of another Consortium body under the law or under these Articles of Association.

Article 37
(Powers of the extraordinary meeting)

1. The extraordinary meeting shall resolve upon:
   a. amendments to the Articles of Association;
   b. appointment and powers of official receivers under the law;
   c. extension of the duration of the Consortium;
   d. other matters envisaged by the law.

Article 38
(Composition of the Board of Directors)

1. The Consortium shall be managed by a Board of Directors composed of a number of directors that can vary from a minimum of 10 (ten) to a maximum of 27 (twenty-seven), depending on the actual membership of the various production categories.

2. When the Board of Directors is composed of 27 (twenty-seven) members, the directors referred to in the previous paragraph shall be divided as follows:
   a. Up to a maximum of 18 (eighteen) members representing curing companies;
   b. Up to a maximum of 3 (three) members representing breeders;
   c. Up to a maximum of 3 (three) members representing slaughterers;
   d. Up to a maximum of 3 (three) members representing meat cutters-packers.
3. The number of directors granted to each category of members shall be linked to the actual percentage of representation that each category has in the General Meeting in accordance with the following criteria:

a. the category of curing companies shall be entitled to 18 (eighteen) members when expressing the entire 66% representation share granted in the General Meeting. The number of members shall decrease progressively as this representation percentage decreases down to a minimum of 10 (ten) directors;

b. all the other categories of members shall be entitled to 3 (three) members when they are present in the General Meeting with a representation share of 11%, to 2 (two) members when they are present in the General Meeting with a representation share of 7.6% and to 1 (one) member when they are present in the General Meeting with a representation share of less than 3.8%.

c. with reference to the provisions of point b) above, in the event that membership in the Consortium is not sufficient to guarantee the presence, for each production category, of at least one member in the Board of Directors, the Board shall appoint as director a representative of the category that is not represented indicated by the organization that is most representative for that sector on a national level, where one exists.

4. In the event that the member of the Board of Directors representing the category of slaughterers or meat cutters-packers appointed under the provisions of paragraph 3 letter c notifies that he/she is unable to attend a Board meeting, the Chairperson shall call the substitute member who may attend the meeting and exercise the right to vote of the full member. The substitute shall be identified at the beginning of the term of office of the Board, according to the procedure set forth in point c) of the previous paragraph, among the representatives of the Interprofessional Commission referred to in article 58 belonging to the same category as the full member and shall perform this duty for the entire term of office of the Board.

5. All the members shall remain in office for three years starting on the date of appointment and may not be elected for more than three consecutive terms. Under the provisions of this paragraph, term of office shall mean a term of at least 18 months.

6. For special reasons the General Meeting may vote to shorten or lengthen the term of office of the Board of Directors but never for periods of more than two months. In these cases too, it shall be possible to apply, after termination of the term, the provisions of article 2385, paragraph 2 of the Italian Civil Code.

7. The presence in the Board of Directors of at least two members representing the curing companies belonging to the first two classes of production under paragraph 5 of article 34 shall be guaranteed.

Article 39
(Election of the Board of Directors)

1. The system for appointment of the Board shall be based on the principle of open opposing lists. Members shall express their votes with reference to a specific list inside which they can express a maximum of five preferences. Where a number of preferences greater than five is indicated, the vote shall be counted only as a list vote. The winning list shall be the one that at the General Meeting obtains the absolute majority of votes cast
by the members belonging to the relevant category and elected as members of the board shall be the representatives of the consortium members nominated in the winning list and those in the losing list that have obtained the most preferences in accordance with the provisions of the following paragraphs of this article. In the event of a tied vote, the candidate with the longest seniority of registration in the Consortium or, subordinately, the older of the two candidates shall be elected.

2. In the event that, in the presence of more than two lists, at the first round of voting no list obtains the majority of votes under the above paragraph, a second runoff round shall be carried out between the two lists that obtained the most votes in the first round. In the runoff round as well, the winning list shall be the one that obtains the absolute majority of the votes cast by the consortium members.

3. If only one list is present, an election shall still be held and the members of the Board of Directors of the corresponding production category shall be appointed from the one list, in accordance with the number of preferences.

4. The election of the representatives of the various categories shall take place separately; members of a category shall participate only in the voting of the lists pertaining to their own category.

5. The Board shall be made up as follows: for curing companies, under the provisions of paragraph 6 below, ten, nine, eight or seven candidates from the winning list according to the number of preferences and by seven, six, five, four or three candidates, according to number of preferences, of the losing list; for other categories, by the candidate or candidates, according to number of preferences, of the winning list. If only one list is presented, all the directors representing a single production category shall be identified among the candidates of the list presented by that category.

6. The lists for the category of curing companies shall contain a minimum of 13 candidates; the number of representatives of curing companies present in the Board of Directors shall be proportional to the actual membership of representatives of the same production category and their distribution between the winning and losing list shall be made according to the following criteria:

   a. in the event that the Board has 18 representatives from curing companies, the directors appointed shall be the first 11 candidates, according to number of preferences, of the winning list and the first 7 candidates, according to number of preferences, of the losing list;
   b. in the event that the Board has 17 representatives from curing companies, the directors appointed shall be the first 11 candidates, according to number of preferences, of the winning list and the first 6 candidates, according to number of preferences, of the losing list;
   c. in the event that the Board has 16 representatives from curing companies, the directors appointed shall be the first 10 candidates, according to number of preferences, of the winning list and the first 6 candidates, according to number of preferences, of the losing list;
   d. in the event that the Board has 15 representatives from curing companies, the directors appointed shall be the first 10 candidates, according to number of preferences, of the winning list and the first 5 candidates, according to number of preferences, of the losing list;
   e. in the event that the Board has 14 representatives from curing companies, the directors appointed shall be the first 9 candidates, according to number of preferences, of the winning list and the first 5 candidates, according to number of preferences, of the losing list;
   f. in the event that the Board has 13 representatives from curing companies, the directors appointed shall be the first 9 candidates, according to number of preferences, of the
winning list and the first 4 candidates, according to number of preferences, of the losing list;
g. in the event that the Board has 12 representatives from curing companies, the directors appointed
shall be the first 8 candidates, according to number of preferences, of the winning list and the
first 4 candidates, according to number of preferences, of the losing list;
h. in the event that the Board has 11 representatives from curing companies, the directors appointed
shall be the first 8 candidates, according to number of preferences, of the winning list and the
first 3 candidates, according to number of preferences, of the losing list;
i. in the event that the Board has 10 representatives from curing companies, the directors appointed
shall be the first 7 candidates, according to number of preferences, of the winning list and the
first 3 candidates, according to number of preferences, of the losing list;

7. A list shall be accepted only if it contains the number of candidates set forth in the previous
paragraph, as well as, for the curing company category, at least one member representing the
companies belonging to one of the first two production classes, who are entitled respectively to
one and three votes.

8. The lists for the other categories of members shall contain a minimum number of candidates
equivalent to double the number of the directors that the same category is entitled to in the Board
of Directors on the basis of the actual number of Consortium members among the representatives
of that category. The candidates in the winning list who have obtained the most preferences
shall be elected.

**Article 40**  
(Election procedures)

1. The lists shall be delivered by hand or sent by registered letter with advice of receipt and shall
reach the headquarters of the Consortium, on pain of inadmissibility, by and not later than
18.00 of the fifteenth day prior to the first call of the General Meeting for the election of the
Board.

2. The lists shall contain the names of the consortium members nominated with the indication, for
each of them, of the person representing them pursuant to article 16 and the signature of the
latter for acceptance.

3. On pain of inadmissibility, each consortium member can be nominated for one list only and
likewise no person can represent, under article 16, more than one candidate member.

4. On opening the General Meeting for the election of the Board, the Chairperson shall
communicate the admitted lists to the General Meeting.

**Article 41 –**  
(Power of the Board)

1. The Board shall be vested with the widest powers of administration, both ordinary and
extraordinary. The Board of Directors shall, inter alia, have the power to:

a. elect the Chairperson and the two Deputy Chairpersons;
b. shall draw up the final accounts for the year and the management report to be submitted to the
approval of the General Assembly and approve the budget;
c. pass resolutions on the selection of the supervisory body pursuant to paragraph 8 of article 14 of
law no.526/99;
d. determine the attendance shares of the representatives of the various professional categories in the company's bodies, based on current legislations, as well as identify the production classes and define their limits for the attribution of votes to consortium members;

e. establish the number of components of the Executive Committee, in addition to Chairperson and Deputy Chairpersons, electing the other members;

f. resolve on the admission, withdrawal and forfeiture of Consortium Members and on their possible exclusion or precautionary suspension;

g. resolve on the calling of both ordinary and extraordinary General Meetings;

h. implement the General Meeting’s resolutions and carry out all the actions delegated by the General Meeting;

i. promote any functional activity pertaining to PDO production and to the management of duties connected with the role of supervisor of the Consortium pursuant to current laws, including the adoption of regulations, directives and prescriptions;

j. change the location of the Consortium's headquarters within the province of Parma;

k. adopt prescriptions and lay down directives and technical regulations in accordance with current laws, to be submitted for approval to the competent Public Authorities;

l. stipulate interprofessional agreements;

m. adopt and ensure compliance with any regulation pertaining to the organization of the Consortium and to the performance of its institutional duties;

n. determine fees and charges owed to the Consortium for the performance of its functions;

o. appoint the Chairperson and define the organization chart of the Consortium's staff;

p. authorize the Consortium's inspectors to perform supervisory activities also for other PDO and GPI products;

q. purchase and sell movable goods, registered and non-registered, as well as perform financial operations with any institute, body, administration or department, whether public or private, applying, when needed, for guarantees, financing, loans for the Consortium;

r. adopt all the measures under these Articles of Association;

s. propose regulatory discipline measures, design programmes envisaging structural and technical adjustment measures aimed at a qualitative improvement of productions in terms of sanitary safety, chemical, physical, organoleptic and nutritional characteristics of "Parma Ham";

t. determine the fee paid to the Board of Statutory Auditors based on the specific fees of the order of Chartered Accountants;

u. appoint the Chairperson and Secretary of the Interprofessional Committee pursuant to article 58 below;

v. appoint any commission or committee under the provisions of current regulations and of these Articles of Association;

w. in case of disputes, pass resolutions on the admissibility of the lists specified in articles 39 and 40, and on the possession of the eligibility requirements set forth in article 40;

x. carry out all the operations and actions conducive to the attainment of the consortium's purposes.

Article 42
(Delegation powers)

1. The Board of Directors may delegate some of its powers to the Executive committee.

2. The Board of Directors may also confer to one or more of its members, jointly or severally and with the limitations it deems appropriate, specific duties or the execution of special resolutions.

Article 43
(Prorogatio)
1. Under article 2385, paragraph 2, of the Italian Civil Code, the termination of the services of directors for expiry of their term of office shall have effect from the moment the Board of Directors takes office.

**Article 44**  
*(Board Regulations)*

1. The Board of Directors shall be validly set up with the acceptance of the elected members.

2. The Board of Directors shall meet at least every three months and whenever the Chairperson deems it advisable or after receipt of a justified request, with specific indication of the issues to be dealt with, by at least one fourth (1/4) of the directors or of the Board of Statutory Auditors.

3. The Board shall be convened and chaired by the Chairperson or by a Deputy.

4. Convening shall be by registered letter or by fax or electronic mail (email or similar), or delivered by hand to each member of the board at least eight days prior to the date fixed for the meeting; the notice shall indicate the date, time and location of the meeting, as well as the list of topics to be discussed. In urgent cases, the notice may be sent at least 48 (forty-eight) hours prior to the time of commencement of the meeting.

5. Regardless of the notice method used, convening shall be valid when attended by all the members of the Board.

6. The meeting of the Board of Directors for the election of Chairperson and Deputy Chairperson shall be convened by the outgoing Chairperson or, if not available, by the Substitute Deputy Chairperson or, if not available, by the other Deputy Chairperson and, if also unavailable, by the oldest member of the Board.

7. The members of the Board of Directors shall be entitled only to refund of the expenses incurred during travel for the performance of duties on behalf of the Consortium and when specifically appointed by the Consortium.

**Article 45**  
*(Substitution of board members)*

1. A member of the board shall fall from office when:
   a. without a justifiable reason, he/she fails to attend three consecutive regularly convened meetings of the Board. This shall not include absence from urgently convened meetings;
   b. the member has lost the qualification pursuant to article 16;
   c. the member maintains one of the qualifications set forth in article 16 but in relation to a consortium member other than the one in whose representation he/she was elected pursuant to articles 39 and 40 herein;
   d. the consortium member in whose representation the member was elected has lost the qualification of Consortium member under article 17 or the right to passive electorate set forth in article 13 herein.

2. In the event of a cause for forfeiture, the member shall be replaced by the representative of the candidate member that was the first of the non-elected in the same list. The Board shall acknowledge the forfeiture and substitution with a resolution. In the event that
this is not possible for lack of candidates in the same list, the forfeited board member shall not be replaced and, consequently, the number of the members in the Board shall be reduced for the current term of office.

3. The previous paragraph shall apply also in those cases when one or more of the elected board members leave office or do not accept the appointment.

4. The Board members who have thus filled a vacancy or been appointed shall remain in office for the same term as the Board currently in office.

Article 46
(Validity of resolutions)

1. The resolutions of the Board of Directors shall be valid only if the meeting is attended by the majority of the Board members in office.

2. Except as otherwise provided by the following paragraph, resolutions shall be adopted with the absolute majority of voters and, on a parity of votes, the proposal adopted shall be the one that has received the favourable vote of the Chairperson or, in his/her absence, of the Substitute Deputy Chairperson or, in his/her absence, of the other Deputy Chairperson. Each board member shall be entitled to one vote and may not represent other board members by proxy.

3. For matters pertaining to amendments to the Articles of Association, production specifications, definition of technical regulations and determination of consortium fees, resolutions shall be passed with a qualified majority of 75% of the voters. For matters pertaining to amendments to the production specifications for the breeding and slaughtering sectors, to technical regulations for the meat cutting-packing sector, as well as interprofessional agreements, resolutions shall be passed with a qualified majority of 75% of voters and the favourable vote of at least one board member from the relevant category.

4. Voting shall normally be in open form; votes shall be cast with secret ballot when the election concerns the Consortium Bodies and their internal departments or when requested by at least two thirds (2/3) of the Board members.

5. For the election of the Chairperson and Deputy Chairpersons, each Board member may give only one name, while for the election of the members of the Executive Committee or of any other internal department they may give a maximum of two names.

Article 47 –
(Minutes of the Board)

1. The resolutions of the Board shall be immediately executive from the time of the election and shall be recorded in the Minutes Book; each report shall be signed by the Chairperson and by the secretary and shall be approved by the Board on the first opportunity following the meeting concerned.

2. The Chairperson shall appoint a secretary, who can also be chosen outside of the Board and who, in that case, shall not be entitled to a vote.

Article 48 –
(Composition of the Executive Committee)
1. The Board of Directors shall appoint among its members an Executive Committee consisting of the Chairperson, Deputy Chairpersons and other members of the Board.

2. The Executive Committee, composed of a variable number of elected members to be decided each time by the Board of Directors, shall be formed by a minimum of five to a maximum of nine persons. In the event that there are two lists, in accordance with the provisions of article 39 herein, if the Committee includes nine or eight people, it shall ensure the presence of two board members elected from the losing list for curing companies, in addition to a Deputy Chairperson selected from the same list. In the event that the Committee is composed of seven, six or five persons, it shall ensure the presence of a board member elected from the losing list for curing companies, in addition to a Deputy Chairperson selected from the same list. In the event of a tied vote, the candidate elected shall be the one whose company has the longest seniority of registration in the Consortium or, subordinately, the oldest in age. The Executive Committee shall remain in office for the entire term of office of the Board of Directors.

3. The Executive Committee shall be convened by the Chairperson or, if absent or unavailable, by the Deputy, whenever the Chairperson deems it advisable and whenever requested by at least two members of the Committee. Convening shall take place by registered letter or by fax or electronic mail (email or similar) at least three days prior to the date fixed for the meeting. In urgent cases, convening may also take place by telephone.

4. Regardless of the notice method used, convening shall be valid when attended by all the members of the Committee.

Article 49 –
(Executive Committee procedures)

1. The Executive Committee shall be chaired by the Chairperson or, if absent or unavailable, by a Deputy. Articles 45, 46 paragraphs 1, 2 and 47 herein shall apply.

Article 50
(Substitution of members of the Executive Committee)

1. In the event that one or more members of the Executive Committee leave office, the Board of Directors shall arrange for their substitution in the Committee during the following meeting. The members thus appointed shall remain in office until the same date as the other members in office at the time of the new member's appointment.

Article 51
(Power of the Executive Committee)

1. The duties and powers established by the Board of Directors for the Executive Committee shall include:

   a. performing all the duties delegated by the Board of Directors;
   b. designing and proposing to the Board of Directors short, medium and long-term activity programmes with relevant financial plans;
   c. proposing to the Board of Directors any action deemed advisable to promote the
participation of member companies to the life of the Consortium;
d. hiring and replacing personnel, based on the organization chart fixed by the Board of Directors and on proposal of the Director and defining, again on proposal of the Director, the economic, regulatory and employment contract conditions for employees;
e. passing resolutions on advertising and promotional issues, consistently with the strategies laid down by the Board of Directors, to the maximum amount set by the Board, and providing information on the decisions made;
f. ensuring execution of resolutions by the Board of Directors expressly delegated for implementation;
g. in the event that it is not possible to convene the Board of Directors, adopting necessary and urgent measures. These measures shall be reported to the Board of Directors for acceptance.

Article 52

(Chairperson)

1. The Chairperson of the Board of Directors shall be the Chairperson of the Consortium and shall have legal representation and signature power. The Chairperson shall be appointed among the board members elected as representatives of the curing companies.

2. The Chairperson shall:

a. within the scope of his/her duties, take the initiatives deemed advisable for facilitating the Consortium's activities;
b. oversee the general development of the Consortium, with responsibility for payments and sign the final accounts for the year and the balance sheet to be submitted to the company register of the Chamber of Commerce, Industry, Artisan and Crafts, and Agriculture of Parma within the legal terms;
c. represent the Consortium in court and promote any kind of legal civil, criminal and administrative proceeding, or arbitration proceedings at any level and type of jurisdiction and to appoint for the purpose lawyers, arbitrators and attorneys including with power to sue for damages as well as file reports, petitions and complaints;
d. convene and chair the General Meeting, upon resolution of the Board of Directors;
e. convene and chair the Board of Directors and the Executive Committee;
f. carry out the duties received from the Board of Directors and by the Executive Committee;
g. in the event of inability to convene the Executive Committee, adopt actions of proven urgency and reports on such actions at the following Executive Committee requesting ratification thereof.

Article 53

(Deputy Chairpersons)

1. The two Deputy Chairpersons, one elected from the winning list and the other from the losing list for curing companies, shall assist the Chairperson, who may delegate some of his/her duties to them.

2. The Deputy Chairperson elected from the winning list is the substitute and as such shall replace the Chairperson in case of absence or inability, with the same powers and authority. In case of inability or absence of the Substitute Chairperson, the Chairperson shall be replaced by the other Deputy Chairperson and in case of inability or absence of the latter, by the member of the Executive Committee who is most senior (in terms of membership in the Board or, alternatively, of age).

Article 54
(Board of Statutory Auditors)

1. The Board of Statutory Auditors shall be appointed by the General Meeting and shall consist of three standing auditors and two alternate auditors selected from the Register of Auditors pursuant to L.D. no.88/1992. The General Meeting shall at the same time appoint the Chairman of the Board of Statutory Auditors.

2. For the election of the Board of Statutory Auditors, each card shall not contain, on pain of nullity, a number of names exceeding the members to be elected. In the event of a tied vote, the oldest auditor shall be elected.

3. Of the five names that have obtained the most votes, the first three shall be standing auditors, and the two remaining one alternate auditors. The name that has obtained the most votes shall be elected Chairperson of the Board.

Article 55
(Duties of the Board of Statutory Auditors)

1. The Board of Statutory Auditors shall perform the duties and functions set forth by the Italian Civil Code and by current regulations, verifying regular keeping of the accounts of the Consortium, supervising compliance with the Articles of Association and ensuring consistency between the final accounts for the year with the accounting books and records.

2. Subject to the provisions of the previous paragraph, the Ordinary General Meeting, upon request of the Board of Directors and upon justified proposal of the Board of Statutory Auditors, may, within the limits of the law, assign the performance of legal auditing of the accounts, for one or more years, to another person registered with the register of auditors. In these cases the Board of Statutory Auditors shall perform its duties except for the specific duty of legal auditing of the accounts.

3. The Board of Statutory Auditors shall remain in office for three years and its members may be re-elected.

Article 56
(Remuneration)

1. The standing members of the Board of Statutory Auditors shall receive an annual remuneration, determined by the Board of Directors based on the specific fees of the order of chartered accountants; they shall also be entitled to refund of documented expenses authorized by the Board of Directors that have been incurred during the performance of their duties or for specific assignments received by the Consortium.

Article 57
(Substitution)

1. A Statutory Auditor who, without a justifiable reason, fails to participate in three consecutive meetings of the Board of Statutory Auditors shall fall from office.

2. In the event that one or more Standing Auditors leave office, they shall be substituted by the auditor/s according to votes obtained or, alternatively, age. If that does not complete the Board of Statutory Auditors, a General Meeting shall be convened to integrate the Board with effect until the end of the current term of office.
3. In the event that the absent auditor is the Chairperson of the Board, he/she shall be replaced by the auditor who has obtained the most votes after him/her.

**Article 58**  
(Interprofessional commission)

1. The Interprofessional Commission shall be composed by representatives of the curing companies, breeders, slaughterers and meat cutters-packers.

2. The rules on the establishment, operation and powers of the Commission shall be laid down with a special, unanimously agreed resolution of the Board of Directors to be submitted to the competent State Authority for approval. At the time of appointment of this Commission, the Board shall appoint the Chairperson and Secretary of the Commission.

3. The Chairperson of the Commission shall be appointed from the representatives of breeders. The same person shall be authorized to attend meetings of the Board of Directors, without right to vote. In the event that the member of the Board of Directors representing the category of breeders appointed under the provisions of article 38 paragraph 3 letter c notifies that he/she is unable to attend a Board meeting, the Chairperson of the Commission set forth in the previous article shall be entitled, as substitute, to the right to vote of the full member from the same category.

4. The Commission shall provide orientation activities and advice aimed at the application of the provisions of current laws, of the production specifications, as well as rules and directives adopted by the Board.

5. The Commission shall adopt its decisions with a qualified majority of two thirds (2/3) of the attending members, representing all of the production categories.

**Article 59**  
(Director)

1. The Director shall be appointed by the Board of Directors who shall choose him/her among persons with adequate competences and professionalism who have at least the following prerequisites:
   a. preferably a university graduate;
   b. experience of at least three years in the agri-food sector, in particular in the meat processing sector;
   c. proven experience in the management, coordination and control of organizational and operational units acquired in associations, consortiums, supervisory bodies, companies, etc.

2. The Director shall assist the Chairperson and supervise the implementation of the resolutions of the consortium bodies and their internal departments and shall participate, with an advisory role, in the meetings; shall have the necessary power to organize and supervise the various services, for whom he/she is responsible; shall autonomously coordinate and develop, in line with the programmes and orientation established by the Board of Directors, all the duties relating to the performance of the supervisory role assigned to the Consortium and to every other activity for the protection, enhancement and promotion of "Parma Ham", in the national territory or abroad.

3. The Director shall perform the role of directing the Consortium pursuant to current regulations,
for the duties specifically assigned to him/her by the Board of Directors with the aim of promoting and achieving the consortium's objectives; shall, inter alia, be responsible for:

a. the keeping and preservation of the Books of members, of the General Meeting, of the Board of Directors and of the Executive Committee;
b. administrative management, personnel and general affairs of the Consortium, handling of current paperwork and duties assigned for execution of the activities planned and designed for attainment of the consortium's purposes;
c. coordination and control of the Consortium's department, exercising hierarchical superiority on all personnel with disciplinary power; in this regard, he/she shall propose to the Executive Committee hiring and replacement of personnel, as well as definition of the economic and contract terms for personnel;
d. supervising the preparation of the budget and final accounts, submitting it to the Board of Directors;
e. adoption of the acts required for the current operation of departments and personnel activities, as well as decisions on use and maintenance of the Consortium's premises and on official entertaining initiatives with small budget. The Director shall report to the Executive Committee on such actions when they involve budgets exceeding the value fixed by the Executive Committee.

Article 60
(Incompatibility)

1. Persons who have been disabled by law, disqualified, bankrupts and criminal offenders disqualified, even temporarily, from public officers or from commercial activities or from holding management positions, shall not be appointed to corporate offices and, if already appointed, shall from office.

2. Spouses, relatives and affines of members of the Board of Directors up to the fourth degree shall not be appointed to the Board of Statutory Auditors and, if already appointed, shall fall from office.

TITLE VII
CONSORTIUM FUNDS, FISCAL YEAR AND FINAL REPORT
Article 61
(Establishment of consortium fund)

1. The consortium fund shall be made up of:
   a. fees for admission into the Consortium set forth in article 25;
   b. annual fees set forth in article 26;
   c. algebraic sum of profit/loss for the year.

Article 62
(Access to consortium funds)

1. For the duration of the Consortium, creditors of consortium members shall not be entitled to claim payment from Consortium funds, nor to request refund of the fees and charges paid by the debtor member.

Article 63
(Accounting year)
1. The accounting year of the Consortium shall begin on January 1 and close on December 31.

Article 64
(Rules for preparation of final accounts)

1. The final accounts shall include the balance sheet and expenses and statement of income and expenses for Consortium management.

2. It shall be prepared by the Board of Directors and submitted to the Board of Statutory Auditors at least 30 days before the General Meeting convened for approval and a copy shall remain on file - together with any observations by the Board of Statutory Auditors - at the headquarters of the Consortium during the 15 days prior to the above mentioned meeting.

TITLE VIII
FINAL REGULATIONS

Article 65
(Statutory books)

1. In addition to the books required by law, the statutory books of the Consortium shall be:
   a. Book of Consortium Members;
   b. Book of the General Meeting of Consortium Members;
   c. Book of the Board of Directors;
   d. Book of the Executive Committee;
   e. Book of the Board of Statutory Auditors.

Article 66
(Transparency)

1. Consortium members shall have the right to examine the books of letters a) and b) of the previous article and to obtain copies at their expense.

Article 67
(Dissolution of the Consortium)

1. The Consortium shall be dissolved upon:

   a. expiration of the term;
   b. achievement of the objective or inability to achieve it;
   c. unanimous resolution of the Consortium members;
   d. other causes set forth by the Law.

Article 68
(Liquidation of the Consortium)

1. In case of dissolution of the Consortium, the General Meeting shall appoint one or more liquidators preferably among the consortium members. The liquidators shall draw up the final liquidation statement.

2. The net assets of the Consortium resulting from the final liquidation statement shall be used for the benefit of
the community under current applicable regulations and shall not, for any reason, be distributed to the Consortium members.

Article 69 –
(Liquidation expenses)

1. The expenses for liquidation shall be paid from the consortium funds and, if insufficient, the remaining amount shall be charged to all the consortium members, pro quota in proportion to their average production in the last three years.

2. The amounts owed by defaulting members - subject to possible collection actions and request for damage - shall be paid, in equal parts, by the other members of the same production category.

TITLE IX ARBITRATION
CLAUSE

Article 70
(Board of Arbitrators)

1. Any disputes arising between Consortium members or between Consortium members and the Consortium on the subject on entitlements resulting from the Consortium relationship, and any other dispute brought by directors, liquidators and statutory auditors, or against them, or on the subject of validity of general meeting resolutions, shall be decided by a board of arbitrators, composed of three members all appointed by the President Judge of the Law Courts of Parma.

2. Arbitration shall be on an amicable basis, without procedural formality.

3. The board of arbitrators shall issue the arbitration award within 90 days from the composition of the board.
   The board shall also determine the expenses and fees owed to the arbitrators.

4. This shall not prejudice the possibility of referring the matter to ordinary judicial authorities.

TITLE X
TRANSITIONAL PROVISIONS

Article 71
(Amendments to the Articles of Association)

1. The new provisions of the article of association shall come into force at the date of approval of the amended text by the Ministry of agriculture, food and forestry policies.
REGULATIONS

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

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) and the first paragraph of Article 118 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee (1),

Having regard to the opinion of the Committee of the Regions (2),

Acting in accordance with the ordinary legislative procedure (3),

Whereas:

(1) The quality and diversity of the Union’s agricultural, fisheries and aquaculture production is one of its important strengths, giving a competitive advantage to the Union’s producers and making a major contribution to its living cultural and gastronomic heritage. This is due to the skills and determination of Union farmers and producers who have kept traditions alive while taking into account the developments of new production methods and material.

(2) Citizens and consumers in the Union increasingly demand quality as well as traditional products. They are also concerned to maintain the diversity of the agricultural production in the Union. This generates a demand for agricultural products or foodstuffs with identifiable specific characteristics, in particular those linked to their geographical origin.

(3) Producers can only continue to produce a diverse range of quality products if they are rewarded fairly for their effort. This requires that they are able to communicate to buyers and consumers the characteristics of their product under conditions of fair competition. It also requires them to be able to correctly identify their products on the marketplace.

(4) Operating quality schemes for producers which reward them for their efforts to produce a diverse range of quality products can benefit the rural economy. This is particularly the case in less favoured areas, in mountain areas and in the most remote regions, where the farming sector accounts for a significant part of the economy and production costs are high. In this way quality schemes are able to contribute to and complement rural development policy as well as market and income support policies of the common agricultural policy (CAP). In particular, they may contribute to areas in which the farming sector is of greater economic importance and, especially, to disadvantaged areas.

(5) The Europe 2020 policy priorities as set out in the Commission Communication entitled ‘Europe 2020: A strategy for smart, sustainable and inclusive growth’, include the aims of achieving a competitive economy based on knowledge and innovation and fostering a high-employment economy delivering social and territorial cohesion. Agricultural product quality policy should therefore provide producers with the right tools to better identify and promote those of their products that have specific characteristics while protecting those producers against unfair practices.

(1) OJ C 218, 23.7.2011, p. 114.
(2) OJ C 192, 1.7.2011, p. 28.
(6) The set of complementary measures envisaged should respect the principles of subsidiarity and proportionality.


(8) The labelling of agricultural products and foodstuffs should be subject to the general rules laid down in Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs (9), and in particular the provisions aimed at preventing labelling that may confuse or mislead consumers.

(9) The Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on agricultural product quality policy identified the achievement of a greater overall coherence and consistency of agricultural product quality policy as a priority.

(10) The geographical indications scheme for agricultural products and foodstuffs and the traditional specialties guaranteed scheme have certain common objectives and provisions.

(11) The Union has for some time been pursuing an approach that aims to simplify the regulatory framework of the CAP. This approach should also be applied to regulations in the field of agricultural product quality policy, without, in so doing, calling into question the specific characteristics of those products.

(12) Some regulations that form part of the agricultural product quality policy have been reviewed recently but are not yet fully implemented. As a result, they should not be included in this Regulation. However, they may be incorporated at a later stage, once the legislation has been fully implemented.

(13) In the light of the aforementioned considerations, the following provisions should be amalgamated into a single legal framework comprising the new or updated provisions of Regulations (EC) No 509/2006 and (EC) No 510/2006 and those provisions of Regulations (EC) No 509/2006 and (EC) No 510/2006 that are maintained.

(14) In the interests of clarity and transparency, Regulations (EC) No 509/2006 and (EC) No 510/2006 should therefore be repealed and replaced by this Regulation.

(15) The scope of this Regulation should be limited to the agricultural products intended for human consumption listed in Annex I to the Treaty and to a list of products outside the scope of that Annex that are closely linked to agricultural production or to the rural economy.

(16) The rules provided for in this Regulation should apply without affecting existing Union legislation on wines, aromatised wines, spirit drinks, product of organic farming, or outermost regions.

(17) The scope for designations of origin and geographical indications should be limited to products for which an intrinsic link exists between product or foodstuff characteristics and geographical origin. The inclusion in the current scheme of only certain types of chocolate as confectionery products is an anomaly that should be corrected.

(18) The specific objectives of protecting designations of origin and geographical indications are securing a fair return for farmers and producers for the qualities and characteristics of a given product, or of its mode of production, and providing clear information on products with specific characteristics linked to geographical origin, thereby enabling consumers to make more informed purchasing choices.

(9) OJ L 109, 6.5.2000, p. 29.
(19) Ensuring uniform respect throughout the Union for the intellectual property rights related to names protected in the Union is a priority that can be achieved more effectively at Union level.

(20) A Union framework that protects designations of origin and geographical indications by providing for their inclusion on a register facilitates the development of those instruments, since the resulting, more uniform, approach ensures fair competition between the producers of products bearing such indications and enhances the credibility of the products in the consumers’ eyes. Provision should be made for the development of designations of origin and geographical indications at Union level and for promoting the creation of mechanisms for their protection in third countries in the framework of the World Trade Organisation (WTO) or multilateral and bilateral agreements, thereby contributing to the recognition of the quality of products and of their model of production as a factor that adds value.

(21) In the light of the experience gained from the implementation of Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs (1) and Regulation (EC) No 510/2006, there is a need to address certain issues, to clarify and simplify some rules and to streamline the procedures of this scheme.

(22) In the light of existing practice, the two different instruments for identifying the link between the product and its geographical origin, namely the protected designation of origin and the protected geographical indication, should be further defined and maintained. Without changing the concept of those instruments, some modifications to the definitions should be adopted in order to better take into account the definition of geographical indications laid down in the Agreement on Trade-Related Aspects of Intellectual Property Rights and to make them simpler and clearer for operators to understand.

(23) An agricultural product or foodstuff bearing such a geographical description should meet certain conditions set out in a specification, such as specific requirements aimed at protecting the natural resources or landscape of the production area or improving the welfare of farm animals.

(24) To qualify for protection in the territories of Member States, designations of origin and geographical indications should be registered only at Union level. With effect from the date of application for such registration at Union level, Member States should be able to grant transitional protection at national level without affecting intra-Union or international trade. The protection afforded by this Regulation upon registration, should be equally available to designations of origin and geographical indications of third countries that meet the corresponding criteria and that are protected in their country of origin.

(25) The registration procedure at Union level should enable any natural or legal person with a legitimate interest from a Member State, other than the Member State of the application, or from a third country, to exercise their rights by notifying their opposition.

(26) Entry in the register of protected designations of origin and protected geographical indications should also provide information to consumers and to those involved in trade.

(27) The Union negotiates international agreements, including those concerning the protection of designations of origin and geographical indications, with its trade partners. In order to facilitate the provision to the public of information about the names so protected, and in particular to ensure protection and control of the use to which those names are put, the names may be entered in the register of protected designations of origin and protected geographical indications. Unless specifically identified as designations of origin in such international agreements, the names should be entered in the register as protected geographical indications.

(28) In view of their specific nature, special provisions concerning labelling should be adopted in respect of protected designations of origin and protected geographical indications that require producers to use the appropriate Union symbols or indications on packaging. In the case of Union names, the use of such symbols or indications should be made obligatory in order to make this category of products, and the guarantees attached to them, better known to consumers and in order to permit easier identification of these products on the market, thereby facilitating checks. Taking into account the requirements of the WTO, the use of such symbols or indications should be made voluntary for third-country geographical indications and designations of origin.

(29) Protection should be granted to names included in the register with the aim of ensuring that they are used fairly and in order to prevent practices liable to mislead consumers. In addition, the means of ensuring that geographical indications and designations of origin are protected should be clarified, particularly as regards the role of producer groups and competent authorities of Member States.

(30) Provision should be made for specific derogations that permit, for transitional periods, the use of a registered name alongside other names. Those derogations should

be simplified and clarified. In certain cases, in order to overcome temporary difficulties and with the long-term objective of ensuring that all producers comply with the specifications, those derogations may be granted for a period of up to 10 years.

(31) The scope of the protection granted under this Regulation should be clarified, in particular with regard to those limitations on registration of new trade marks set out in Directive 2008/95/EC of the European Parliament and of the Council of 22 October 2008 to approximate the laws of the Member States relating to trade marks (1) that conflict with the registration of protected designations of origin and protected geographical indications as is already the case for the registration of new trade marks at Union level. Such clarification is also necessary with regard to the holders of prior rights in intellectual property, in particular those concerning trade marks and homonymous names registered as protected designations of origin or as protected geographical indications.

(32) Protection of designations of origin and geographical indications should be extended to the misuse, imitation and evocation of the registered names on goods as well as on services in order to ensure a high level of protection and to align that protection with that which applies to the wine sector. When protected designations of origin or protected geographical indications are used as ingredients, the Commission Communication entitled ‘Guidelines on the labelling of foodstuffs using protected designations of origin (PDOs) or protected geographical indications (PGIs) as ingredients’ should be taken into account.

(33) The names already registered under Regulation (EC) No 510/2006 on 3 January 2013 should continue to be protected under this Regulation and they should be automatically included in the register.

(34) The specific objective of the scheme for traditional specialities guaranteed is to help the producers of traditional products to communicate to consumers the value-adding attributes of their product. However, as only a few names have been registered, the current scheme for traditional specialities guaranteed has failed to realise its potential. Current provisions should therefore be improved, clarified and sharpened in order to make the scheme more understandable, operational and attractive to potential applicants.

(35) The current scheme provides the option to register a name for identification purposes without reservation of the name in the Union. As this option has not been well understood by stakeholders and since the function of identifying traditional products can be better achieved at Member State or regional level in application of the principle of subsidiarity, this option should be discontinued. In the light of experience, the scheme should only deal with the reservation of names across the Union.

(36) To ensure that names of genuine traditional products are registered under the scheme, the criteria and conditions for registration of a name should be adapted, in particular those concerning the definition of ‘traditional’, which should cover products that have been produced for a significant period of time.

(37) To ensure that traditional specialities guaranteed comply with their specification and are consistent, producers organised into groups should themselves define the product in a specification. The option of registering a name as a traditional speciality guaranteed should be open to third-country producers.

(38) To qualify for reservation, traditional specialities guaranteed should be registered at Union level. The entry in the register should also provide information to consumers and to those involved in the trade.

(39) In order to avoid creating unfair conditions of competition, any producer, including a third-country producer, should be able to use a registered name of a traditional speciality guaranteed, provided that the product concerned complies with the requirements of the relevant specification and the producer is covered by a system of controls. For traditional specialities guaranteed produced within the Union, the Union symbol should be indicated on the labelling and it should be possible to associate it with the indication ‘traditional speciality guaranteed’.

(40) In order to protect registered names from misuse, or from practices that might mislead consumers, their use should be reserved.

(41) For those names already registered under Regulation (EC) No 509/2006 that, on 3 January 2013, would otherwise not be covered by the scope of this Regulation, the terms of use laid down in Regulation (EC) No 509/2006 should continue to apply for a transitional period.

(42) A procedure should be introduced for registering names that are registered without reservation of name pursuant to Regulation (EC) No 509/2006, enabling them to be registered with reservation of name.

(43) Provision should also be made for transitional measures applicable to registration applications received by the Commission before 3 January 2013.

(44) A second tier of quality systems, based on quality terms which add value, which can be communicated on the internal market and which are to be applied voluntarily,
should be introduced. Those optional quality terms should refer to specific horizontal characteristics, with regard to one or more categories of products, farming methods or processing attributes which apply in specific areas. The optional quality term ‘mountain product’ has met the conditions up to now and will add value to the product on the market. In order to facilitate the application of Directive 2000/13/EC where the labelling of foodstuffs may give rise to consumer confusion in relation to optional quality terms, including in particular ‘mountain products’, the Commission may adopt guidelines.

In order to provide mountain producers with an effective tool to better market their product and to reduce the actual risks of consumer confusion as to the mountain provenance of products in the market place, provision should be made for the definition at Union level of an optional quality term for mountain products. The definition of mountain areas should build on the general classification criteria employed to identify a mountain area in Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) (1). The added value of the geographical indications and traditional specialities guaranteed is based on consumer trust. It is only credible if accompanied by effective verification and controls. Those quality schemes should be subject to a monitoring system of official controls, in line with the principles set out in Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (2), and should include a system of checks at all stages of production, processing and distribution. In order to help Member States to better apply provisions of Regulation (EC) No 882/2004 for the controls of geographical indications and traditional specialities guaranteed, references to the most relevant articles should be mentioned in this Regulation.

To guarantee to the consumer the specific characteristics of geographical indications and traditional specialities guaranteed, operators should be subject to a system that verifies compliance with the product specification.

In order to ensure that they are impartial and effective, the competent authorities should meet a number of operational criteria. Provisions on delegating some competences of performing specific control tasks to control bodies should be envisaged.

European standards (EN standards) developed by the European Committee for Standardisation (CEN) and international standards developed by the International Organisation for Standardisation (ISO) should be used for the accreditation of the control bodies as well as by those bodies for their operations. The accreditation of those bodies should take place in accordance with Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products (3).

Information on control activities for geographical indications and traditional specialities guaranteed should be included in the multiannual national control plans and annual report prepared by the Member States in accordance with Regulation (EC) No 882/2004.

Member States should be authorised to charge a fee to cover the costs incurred.

Existing rules concerning the continued use of names that are generic should be clarified so that generic terms that are similar to or form part of a name or term that is protected or reserved should retain their generic status.

The date for establishing the seniority of a trade mark and of a designation of origin or a geographical indication should be that of the date of application of the trade mark for registration in the Union or in the Member States and the date of application for protection of a designation of origin or a geographical indication to the Commission.

The provisions dealing with the refusal or coexistence of a designation of origin or a geographical indication on the ground of conflict with a prior trade mark should continue to apply.

The criteria by which subsequent trade marks should be refused or, if registered, invalidated on the ground that they conflict with a prior designation of origin or geographical indication should correspond to the scope of protection of designation of origin or a geographical indication laid down.

The provisions of systems establishing intellectual property rights, and particularly of those established by the quality scheme for designations of origin and geographical indications or those established under trade mark law, should not be affected by the reservation of names and the establishment of indications and symbols pursuant to the quality schemes for traditional specialities guaranteed and for optional quality terms.

(57) The role of groups should be clarified and recognised. Groups play an essential role in the application process for the registration of names of designations of origin and geographical indications and traditional specialities guaranteed, as well as in the amendment of specifications and cancellation requests. The group can also develop activities related to the surveillance of the enforcement of the protection of the registered names, the compliance of the production with the product specification, the information and promotion of the registered name as well as, in general, any activity aimed at improving the value of the registered names and effectiveness of the quality schemes. Moreover, it should monitor the position of the products on the market. Nevertheless, these activities should not facilitate nor lead to anti-competitive conduct incompatible with Articles 101 and 102 of the Treaty.

(58) To ensure that registered names of designations of origin and geographical indications and traditional specialities guaranteed meet the conditions laid down by this Regulation, applications should be examined by the national authorities of the Member State concerned, in compliance with minimum common provisions, including a national opposition procedure. The Commission should subsequently scrutinise applications to ensure that there are no manifest errors and that Union law and the interests of stakeholders outside the Member State of application have been taken into account.

(59) Registration as designations of origin, geographical indications and traditional specialities guaranteed should be open to names that relate to products originating in third countries and that satisfy the conditions laid down by this Regulation.

(60) The symbols, indications and abbreviations identifying participation in a quality scheme, and the rights therein pertaining to the Union, should be protected in the Union as well as in third countries with the aim of ensuring that they are used on genuine products and that consumers are not misled as to the qualities of products. Furthermore, in order for the protection to be effective, the Commission should have recourse to reasonable budget resources on a centralised basis within the framework of Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (\(^1\)) and in accordance with Article 5 of Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy (\(^2\)).

(61) The registration procedure for protected designations of origin, protected geographical indications and traditional specialities guaranteed, including the scrutiny and the opposition periods, should be shortened and improved, in particular as regards decision making. The Commission, in certain circumstances acting with the assistance of Member States, should be responsible for decision-making on registration. Procedures should be laid down to allow the amendment of product specifications after registration and the cancellation of registered names, in particular if the product no longer complies with the corresponding product specification or if a name is no longer used in the market place.

(62) In order to facilitate cross-border applications for joint registration of protected designations of origin, protected geographical indications or traditional specialities guaranteed, provision should be made for appropriate procedures.

(63) In order to supplement or amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of supplementing the list of products set out in Annex I to this Regulation; establishing the restrictions and derogations with regard to the sourcing of feed in the case of a designation of origin; establishing restrictions and derogations with regard to the slaughtering of live animals or with regard to the sourcing of raw materials; laying down rules which limit the information contained in the product specification; establishing the Union symbols; laying down additional transitional rules in order to protect the rights and legitimate interests of producers or stakeholders concerned; laying down further details on the eligibility criteria for the names of traditional specialities guaranteed; laying down detailed rules relating to the criteria for optional quality terms; reserving an additional optional quality term, laying down its conditions of use and amending those conditions; laying down derogations to the use of the term 'mountain product' and establishing the methods of production, and other criteria relevant for the application of that optional quality term, in particular, laying down the conditions under which raw materials or feed-stuffs are permitted to come from outside the mountain areas; laying down additional rules for determining the generic status of terms in the Union; laying down rules for determining the use of the name of a plant variety or of an animal breed; defining the rules for carrying out the national objection procedure for joint applications concerning more than one national territory; and for

In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards laying down rules on the form of the product specification; laying down detailed rules on the form and content of the register of protected designations of origin and protected geographical indications; defining the technical characteristics of the Union symbols and indications as well as the rules on their use on products, including the appropriate linguistic versions to be used; granting and extending transitional periods for temporary derogations for use of protected designations of origin and protected geographical indication; laying down detailed rules on the form and content of the register of traditional specialities guaranteed; laying down rules for the protection of traditional specialities guaranteed; laying down measures relating to forms, procedures and other technical details for the application of Title IV; laying down rules for the use of optional quality terms; laying down rules for the uniform protection of indications, abbreviations and symbols referring to the quality schemes; laying down detailed rules on the procedure, form and presentation of applications for registration and of oppositions; rejecting the application; deciding on the registration of a name if an agreement has not been reached; laying down detailed rules on the procedure, form and presentation of an amendment application; cancelling the registration of a protected designation of origin, a protected geographical indication or a traditional speciality guaranteed; and laying down detailed rules on the procedure and form of the cancellation process and on the presentation of the requests for cancellation. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission’s exercise of implementing powers (1).

In respect of establishing and maintaining registers of protected designations of origin, protected geographical indications and traditional specialties guaranteed, recognised under this scheme; defining the means by which the name and address of product certification bodies are to be made public; and registering a name if there is no notice of opposition or no admissible reasoned statement of opposition or in the case there is one the agreement has been reached, the Commission should be empowered to adopt implementing acts without applying Regulation (EU) No 182/2011, HAVE ADOPTED THIS REGULATION:

TITLE I
GENERAL PROVISIONS
Article 1
Objectives

1. This Regulation aims to help producers of agricultural products and foodstuffs to communicate the product characteristics and farming attributes of those products and foodstuffs to buyers and consumers, thereby ensuring:

(a) fair competition for farmers and producers of agricultural products and foodstuffs having value-adding characteristics and attributes;

(b) the availability to consumers of reliable information pertaining to such products;

(c) respect for intellectual property rights; and

(d) the integrity of the internal market.

The measures set out in this Regulation are intended to support agricultural and processing activities and the farming systems associated with high quality products, thereby contributing to the achievement of rural development policy objectives.

2. This Regulation establishes quality schemes which provide the basis for the identification and, where appropriate, protection of names and terms that, in particular, indicate or describe agricultural products with:

(a) value-adding characteristics; or

(b) value-adding attributes as a result of the farming or processing methods used in their production, or of the place of their production or marketing.

Article 2
Scope

1. This Regulation covers agricultural products intended for human consumption listed in Annex I to the Treaty and other agricultural products and foodstuffs listed in Annex I to this Regulation.

In order to take into account international commitments or new production methods or material, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, supplementing the list of products set out in Annex I to this Regulation. Such products shall be closely linked to agricultural products or to the rural economy.

2. This Regulation shall not apply to spirit drinks, aromatised wines or grapevine products as defined in Annex Xlb to Regulation (EC) No 1234/2007, with the exception of wine-vinegars.

3. This Regulation shall apply without prejudice to other specific Union provisions relating to the placing of products on the market and, in particular, to the single common organisation of the markets, and to food labelling.


**Article 3**

**Definitions**

For the purposes of this Regulation the following definitions shall apply:

(1) 'quality schemes' means the schemes established under Titles II, III and IV;

(2) 'group' means any association, irrespective of its legal form, mainly composed of producers or processors working with the same product;

(3) 'traditional' means proven usage on the domestic market for a period that allows transmission between generations; this period is to be at least 30 years;

(4) 'labelling' means any words, particulars, trade marks, brand name, pictorial matter or symbol relating to a foodstuff and placed on any packaging, document, notice, label, ring or collar accompanying or referring to such foodstuff;

(5) 'specific character' in relation to a product means the characteristic production attributes which distinguish a product clearly from other similar products of the same category;

(6) 'generic terms' means the names of products which, although relating to the place, region or country where the product was originally produced or marketed, have become the common name of a product in the Union;

(7) 'production step' means production, processing or preparation;

(8) 'processed products' means foodstuffs resulting from the processing of unprocessed products. Processed products may contain ingredients that are necessary for their manufacture or to give them specific characteristics.

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**PROTECTED DESIGNATIONS OF ORIGIN AND PROTECTED GEOGRAPHICAL INDICATIONS**

**Article 4**

**Objective**

A scheme for protected designations of origin and protected geographical indications is established in order to help producers of products linked to a geographical area by:

(a) securing fair returns for the qualities of their products;

(b) ensuring uniform protection of the names as an intellectual property right in the territory of the Union;

(c) providing clear information on the value-adding attributes of the product to consumers.

**Article 5**

**Requirements for designations of origin and geographical indications**

1. For the purpose of this Regulation, 'designation of origin' is a name which identifies a product:

   (a) originating in a specific place, region or, in exceptional cases, a country;

   (b) whose quality or characteristics are essentially or exclusively due to a particular geographical environment with its inherent natural and human factors; and

   (c) the production steps of which all take place in the defined geographical area.

2. For the purpose of this Regulation, 'geographical indication' is a name which identifies a product:

   (a) originating in a specific place, region or country;

   (b) whose given quality, reputation or other characteristic is essentially attributable to its geographical origin; and

   (c) at least one of the production steps of which take place in the defined geographical area.

3. Notwithstanding paragraph 1, certain names shall be treated as designations of origin even though the raw materials for the products concerned come from a geographical area larger than, or different from, the defined geographical area, provided that:

   (a) the production area of the raw materials is defined;

   (b) special conditions for the production of the raw materials exist;

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(c) there are control arrangements to ensure that the conditions referred to in point (b) are adhered to; and

(d) the designations of origin in question were recognised as designations of origin in the country of origin before 1 May 2004.

Only live animals, meat and milk may be considered as raw materials for the purposes of this paragraph.

4. In order to take into account the specific character of production of products of animal origin, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, concerning restrictions and derogations with regard to the sourcing of feed in the case of a designation of origin.

In addition, in order to take into account the specific character of certain products or areas, the Commission shall be empowered to adopt delegated acts in accordance with Article 56, concerning restrictions and derogations with regard to the slaughtering of live animals or with regard to the sourcing of raw materials.

These restrictions and derogations shall, based on objective criteria, take into account quality or usage and recognised know-how or natural factors.

Article 6

Generic nature, conflicts with names of plant varieties and animal breeds, with homonyms and trade marks

1. Generic terms shall not be registered as protected designations of origin or protected geographical indications.

2. A name may not be registered as a designation of origin or geographical indication where it conflicts with a name of a plant variety or an animal breed and is likely to mislead the consumer as to the true origin of the product.

3. A name proposed for registration that is wholly or partially homonymous with a name already entered in the register established under Article 11 may not be registered unless there is sufficient distinction in practice between the conditions of local and traditional usage and presentation of the homonym registered subsequently and the name already entered in the register, taking into account the need to ensure equitable treatment of the producers concerned and that consumers are not misled.

A homonymous name which misleads the consumer into believing that products come from another territory shall not be registered even if the name is accurate as far as the actual territory, region or place of origin of the products in question is concerned.

4. A name proposed for registration as a designation of origin or geographical indication shall not be registered where, in the light of a trade mark’s reputation and renown and the length of time it has been used, registration of the name proposed as the designation of origin or geographical indication would be liable to mislead the consumer as to the true identity of the product.

Article 7

Product specification

1. A protected designation of origin or a protected geographical indication shall comply with a specification which shall include at least:

(a) the name to be protected as a designation of origin or geographical indication, as it is used, whether in trade or in common language, and only in the languages which are or were historically used to describe the specific product in the defined geographical area;

(b) a description of the product, including the raw materials, if appropriate, as well as the principal physical, chemical, microbiological or organoleptic characteristics of the product;

(c) the definition of the geographical area delimited with regard to the link referred to in point (f)(i) or (ii) of this paragraph, and, where appropriate, details indicating compliance with the requirements of Article 5(3);

(d) evidence that the product originates in the defined geographical area referred to in Article 5(1) or (2);

(e) a description of the method of obtaining the product and, where appropriate, the authentic and unvarying local methods as well as information concerning packaging, if the applicant group so determines and gives sufficient product-specific justification as to why the packaging must take place in the defined geographical area to safeguard quality, to ensure the origin or to ensure control, taking into account Union law, in particular that on the free movement of goods and the free provision of services;

(f) details establishing the following:

(i) the link between the quality or characteristics of the product and the geographical environment referred to in Article 5(1); or

(ii) where appropriate, the link between a given quality, the reputation or other characteristic of the product and the geographical origin referred to in Article 5(2);

(g) the name and address of the authorities or, if available, the name and address of bodies verifying compliance with the provisions of the product specification pursuant to Article 37 and their specific tasks;
(h) any specific labelling rule for the product in question.

2. In order to ensure that product specifications provide relevant and succinct information, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, laying down rules which limit the information contained in the specification referred to in paragraph 1 of this Article, where such a limitation is necessary to avoid excessively voluminous applications for registration.

The Commission may adopt implementing acts laying down rules on the form of the specification. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).

Article 8

Content of application for registration

1. An application for registration of a designation of origin or geographical indication pursuant to Article 49(2) or (5) shall include at least:

(a) the name and address of the applicant group and of the authorities or, if available, bodies verifying compliance with the provisions of the product specification;

(b) the product specification provided for in Article 7;

(c) a single document setting out the following:

(i) the main points of the product specification: the name, a description of the product, including, where appropriate, specific rules concerning packaging and labelling, and a concise definition of the geographical area;

(ii) a description of the link between the product and the geographical environment or geographical origin referred to in Article 5(1) or (2), as the case may be, including, where appropriate, the specific elements of the product description or production method justifying the link.

An application as referred to in Article 49(5) shall, in addition, include proof that the name of the product is protected in its country of origin.

2. An application dossier referred to in Article 49(4) shall comprise:

(a) the name and address of the applicant group;

(b) the single document referred to in point (c) of paragraph 1 of this Article;

(c) a declaration by the Member State that it considers that the application lodged by the applicant group and qualifying for the favourable decision meets the conditions of this Regulation and the provisions adopted pursuant thereto;

(d) the publication reference of the product specification.

Article 9

Transitional national protection

A Member State may, on a transitional basis only, grant protection to a name under this Regulation at national level, with effect from the date on which an application is lodged with the Commission.

Such national protection shall cease on the date on which either a decision on registration under this Regulation is taken or the application is withdrawn.

Where a name is not registered under this Regulation, the consequences of such national protection shall be the sole responsibility of the Member State concerned.

The measures taken by Member States under the first paragraph shall produce effects at national level only, and they shall have no effect on intra-Union or international trade.

Article 10

Grounds for opposition

1. A reasoned statement of opposition as referred to in Article 51(2) shall be admissible only if it is received by the Commission within the time limit set out in that paragraph and if it:

(a) shows that the conditions referred to in Article 5 and Article 7(1) are not complied with;

(b) shows that the registration of the name proposed would be contrary to Article 6(2), (3) or (4);

(c) shows that the registration of the name proposed would jeopardise the existence of an entirely or partly identical name or of a trade mark or the existence of products which have been legally on the market for at least five years preceding the date of the publication provided for in point (a) of Article 50(2); or

(d) gives details from which it can be concluded that the name for which registration is requested is a generic term.

2. The grounds for opposition shall be assessed in relation to the territory of the Union.

Article 11

Register of protected designations of origin and protected geographical indications

1. The Commission shall adopt implementing acts, without applying the procedure referred to in Article 57(2), establishing and maintaining a publicly accessible updated register of protected designations of origin and protected geographical indications recognised under this scheme.
2. Geographical indications pertaining to products of third countries that are protected in the Union under an international agreement to which the Union is a contracting party may be entered in the register. Unless specifically identified in the said agreement as protected designations of origin under this Regulation, such names shall be entered in the register as protected geographical indications.

3. The Commission may adopt implementing acts laying down detailed rules on the form and content of the register. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).

4. The Commission shall make public and regularly update the list of the international agreements referred to in paragraph 2 as well as the list of geographical indications protected under those agreements.

Article 12

Names, symbols and indications

1. Protected designations of origin and protected geographical indications may be used by any operator marketing a product conforming to the corresponding specification.

2. Union symbols designed to publicise protected designations of origin and protected geographical indications shall be established.

3. In the case of products originating in the Union that are marketed under a protected designation of origin or a protected geographical indication registered in accordance with the procedures laid down in this Regulation, the Union symbols associated with them shall appear on the labelling. In addition, the registered name of the product should appear in the same field of vision. The indications ‘protected designation of origin’ or ‘protected geographical indication’ or the corresponding abbreviations ‘PDO’ or ‘PGI’ may appear on the labelling.

4. In addition, the following may also appear on the labelling: depictions of the geographical area of origin, as referred to in Article 5, and text, graphics or symbols referring to the Member State and/or region in which that geographical area of origin is located.

5. Without prejudice to Directive 2000/13/EC, the collective geographical marks referred to in Article 15 of Directive 2008/95/EC may be used on labels, together with the protected designation of origin or protected geographical indication.

6. In the case of products originating in third countries marketed under a name entered in the register, the indications referred to in paragraph 3 or the Union symbols associated with them may appear on the labelling.

7. In order to ensure that the appropriate information is communicated to the consumer, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, establishing the Union symbols.

The Commission may adopt implementing acts defining the technical characteristics of the Union symbols and indications as well as the rules of their use on the products marketed under a protected designation of origin or a protected geographical indication, including rules concerning the appropriate linguistic versions to be used. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).

Article 13

Protection

1. Registered names shall be protected against:

(a) any direct or indirect commercial use of a registered name in respect of products not covered by the registration where those products are comparable to the products registered under that name or where using the name exploits the reputation of the protected name, including when those products are used as an ingredient;

(b) any misuse, imitation or evocation, even if the true origin of the products or services is indicated or if the protected name is translated or accompanied by an expression such as ‘style’, ‘type’, ‘method’, ‘as produced in’, ‘imitation’ or similar, including when those products are used as an ingredient;

(c) any other false or misleading indication as to the provenance, origin, nature or essential qualities of the product that is used on the inner or outer packaging, advertising material or documents relating to the product concerned, and the packing of the product in a container liable to convey a false impression as to its origin;

(d) any other practice liable to mislead the consumer as to the true origin of the product.

Where a protected designation of origin or a protected geographical indication contains within it the name of a product which is considered to be generic, the use of that generic name shall not be considered to be contrary to points (a) or (b) of the first subparagraph.

2. Protected designations of origin and protected geographical indications shall not become generic.

3. Member States shall take appropriate administrative and judicial steps to prevent or stop the unlawful use of protected designations of origin and protected geographical indications, as referred to in paragraph 1, that are produced or marketed in that Member State.

To that end Member States shall designate the authorities that are responsible for taking these steps in accordance with procedures determined by each individual Member State.
These authorities shall offer adequate guarantees of objectivity and impartiality, and shall have at their disposal the qualified staff and resources necessary to carry out their functions.

Article 14

Relations between trade marks, designations of origin and geographical indications

1. Where a designation of origin or a geographical indication is registered under this Regulation, the registration of a trade mark the use of which would contravene Article 13(1) and which relates to a product of the same type shall be refused if the application for registration of the trade mark is submitted after the date of submission of the registration application in respect of the designation of origin or the geographical indication to the Commission.

Trade marks registered in breach of the first subparagraph shall be invalidated.

The provisions of this paragraph shall apply notwithstanding the provisions of Directive 2008/93/EC.

2. Without prejudice to Article 6(4), a trade mark the use of which contravenes Article 13(1) which has been applied for, registered, or established by use if that possibility is provided for by the legislation concerned, in good faith within the territory of the Union, before the date on which the application for protection of the designation of origin or geographical indication is submitted to the Commission, may continue to be used and renewed for that product notwithstanding the registration of that designation of origin or geographical indication, provided that no grounds for its invalidity or revocation exist under Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark (1) or under Directive 2008/93/EC. In such cases, the use of the protected designation of origin or protected geographical indication shall be permitted as well as use of the relevant trade marks.

Article 15

Transitional periods for use of protected designations of origin and protected geographical indications

1. Without prejudice to Article 14, the Commission may adopt implementing acts extending the transitional period mentioned in paragraph 1 of this Article to 15 years in duly justified cases where it is shown that:

(a) the designation referred to in paragraph 1 of this Article has not, at any time, been to profit from the reputation of the registered name and it is shown that the consumer has not been nor could have been misled as to the true origin of the product.

(b) the purpose of using the designation referred to in paragraph 1 of this Article has not at any time, been to profit from the reputation of the registered name and it is shown that the consumer has not been nor could have been misled as to the true origin of the product.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).

2. Without prejudice to Article 14, the Commission may adopt implementing acts extending the transitional period mentioned in paragraph 1 of this Article to 15 years in duly justified cases where it is shown that:

(a) the designation referred to in paragraph 1 of this Article has been in legal use consistently and fairly for at least 25 years before the application for registration was submitted to the Commission;

(b) the purpose of using the designation referred to in paragraph 1 of this Article has not at any time, been to profit from the reputation of the registered name and it is shown that the consumer has not been nor could have been misled as to the true origin of the product.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).

3. When using a designation referred to in paragraphs 1 and 2, the indication of country of origin shall clearly and visibly appear on the labelling.

4. To overcome temporary difficulties with the long-term objective of ensuring that all producers in the area concerned comply with the specification, a Member State may grant a transitional period of up to 10 years, with effect from the date on which the application is lodged with the Commission, on condition that the operators concerned have legally marketed the products in question, using the names concerned continuously for at least the five years prior to the lodging of the application to the authorities of the Member State and have made that point in the national opposition procedure referred to in Article 49(3).

The first subparagraph shall apply mutatis mutandis to a protected geographical indication or protected designation of origin referring to a geographical area situated in a third country, with the exception of the opposition procedure.

Such transitional periods shall be indicated in the application dossier referred to in Article 8(2).

Article 16

Transitional provisions

1. Names entered in the register provided for in Article 7(6) of Regulation (EC) No 510/2006 shall automatically be entered in the register referred to in Article 11 of this Regulation. The corresponding specifications shall be deemed to be the specifications referred to in Article 7 of this Regulation. Any specific transitional provisions associated with such registrations shall continue to apply.

2. In order to protect the rights and legitimate interests of producers or stakeholders concerned, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, concerning additional transitional rules.

3. This Regulation shall apply without prejudice to any right of coexistence recognised under Regulation (EC) No 510/2006 in respect of designations of origin and geographical indications, on the one hand, and trade marks, on the other.

TITLE III
TRADITIONAL SPECIALITIES GUARANTEED

Article 17
Objective
A scheme for traditional specialities guaranteed is established to safeguard traditional methods of production and recipes by helping producers of traditional product in marketing and communicating the value-adding attributes of their traditional recipes and products to consumers.

Article 18
Criteria
1. A name shall be eligible for registration as a traditional speciality guaranteed where it describes a specific product or foodstuff that:

(a) results from a mode of production, processing or composition corresponding to traditional practice for that product or foodstuff; or

(b) is produced from raw materials or ingredients that are those traditionally used.

2. For a name to be registered as a traditional speciality guaranteed, it shall:

(a) have been traditionally used to refer to the specific product; or

(b) identify the traditional character or specific character of the product.

3. If it is demonstrated in the opposition procedure under Article 51 that the name is also used in another Member State or in a third country, in order to distinguish comparable products or products that share an identical or similar name, the decision on registration taken in accordance with Article 52(3) may provide that the name of the traditional speciality guaranteed is to be accompanied by the claim 'made following the tradition of' immediately followed by the name of a country or a region thereof.

4. A name may not be registered if it refers only to claims of a general nature used for a set of products, or to claims provided for by particular Union legislation.

5. In order to ensure the smooth functioning of the scheme, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, concerning further details of the eligibility criteria laid down in this Article.

Article 19
Product specification
1. A traditional speciality guaranteed shall comply with a specification which shall comprise:

(a) the name proposed for registration, in the appropriate language versions;

(b) a description of the product including its main physical, chemical, microbiological or organoleptic characteristics, showing the product’s specific character;

(c) a description of the production method that the producers must follow, including, where appropriate, the nature and characteristics of the raw materials or ingredients used, and the method by which the product is prepared; and

(d) the key elements establishing the product’s traditional character.

2. In order to ensure that product specifications provide relevant and succinct information, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, laying down rules which limit the information contained in the specification referred to in paragraph 1 of this Article, where such a limitation is necessary to avoid excessively voluminous applications for registration.

The Commission may adopt implementing acts laying down rules on the form of the specification. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).

Article 20
Content of application for registration
1. An application for registration of a name as a traditional speciality guaranteed referred to in Article 49(2) or (5) shall comprise:

(a) the name and address of the applicant group;

(b) the product specification as provided for in Article 19.

2. An application dossier referred to in Article 49(4) shall comprise:

(a) the elements referred to in paragraph 1 of this Article; and

(b) a declaration by the Member State that it considers that the application lodged by the group and qualifying for the favourable decision meets the conditions of this Regulation and the provisions adopted pursuant thereto.
Article 21

Grounds for opposition

1. A reasoned statement of opposition as referred to in Article 51(2) shall be admissible only if it is received by the Commission before expiry of the time limit and if it:

(a) gives duly substantiated reasons why the proposed registration is incompatible with the terms of this Regulation; or

(b) shows that use of the name is lawful, renowned and economically significant for similar agricultural products or foodstuffs.

2. The criteria referred to in point (b) of paragraph 1 shall be assessed in relation to the territory of the Union.

Article 22

Register of traditional specialities guaranteed

1. The Commission shall adopt implementing acts, without applying the procedure referred to in Article 57(2), establishing and maintaining a publicly accessible updated register of traditional specialities guaranteed recognised under this scheme.

2. The Commission may adopt implementing acts laying down detailed rules on the form and content of the register. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).

Article 23

Names, symbol and indication

1. A name registered as a traditional speciality guaranteed may be used by any operator marketing a product that conforms to the corresponding specification.

2. A Union symbol shall be established in order to publicise the traditional specialities guaranteed.

3. In the case of the products originating in the Union that are marketed under a traditional speciality guaranteed that is registered in accordance with this Regulation, the symbol referred to in paragraph 2 shall, without prejudice to paragraph 4, appear on the labelling. In addition, the name of the product should appear in the same field of vision. The indication ‘traditional speciality guaranteed’ or the corresponding abbreviation ‘TSG’ may also appear on the labelling.

The symbol shall be optional on the labelling of traditional specialities guaranteed which are produced outside the Union.

4. In order to ensure that the appropriate information is communicated to the consumer, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, establishing the Union symbol.

The Commission may adopt implementing acts defining the technical characteristics of the Union symbol and indication, as well as the rules of their use on the products bearing the name of a traditional speciality guaranteed, including as to the appropriate linguistic versions to be used. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).

Article 24

Restriction on use of registered names

1. Registered names shall be protected against any misuse, imitation or evocation, or against any other practice liable to mislead the consumer.

2. Member States shall ensure that sales descriptions used at national level do not give rise to confusion with names that are registered.

3. The Commission may adopt implementing acts laying down rules for the protection of traditional specialities guaranteed. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).

Article 25

Transitional provisions

1. Names registered in accordance with Article 13(2) of Regulation (EC) No 509/2006 shall be automatically entered in the register referred to in Article 22 of this Regulation. The corresponding specifications shall be deemed to be the specifications referred to in Article 19 of this Regulation. Any specific transitional provisions associated with such registrations shall continue to apply.

2. Names registered in accordance with the requirements laid down in Article 13(1) of Regulation (EC) No 509/2006, including those registered pursuant to applications referred to in the second subparagraph of Article 58(1) of this Regulation, may continue to be used under the conditions provided for in Regulation (EC) No 509/2006 until 4 January 2023 unless Member States use the procedure set out in Article 26 of this Regulation.

3. In order to protect the rights and legitimate interests of producers or stakeholders concerned, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, laying down additional transitional rules.

Article 26

Simplified procedure

1. At the request of a group, a Member State may submit, no later than 4 January 2016, to the Commission names of traditional specialities guaranteed that are registered in accordance with Article 13(1) of Regulation (EC) No 509/2006 and that comply with this Regulation.

Before submitting a name, the Member State shall initiate an opposition procedure as defined in Article 49(3) and (4).

If it is demonstrated in the course of this procedure that the name is also used in reference to comparable products or products that share an identical or similar name, the name may be complemented by a term identifying its traditional or specific character.
A group from a third country may submit such names to the Commission, either directly or through the authorities of the third country.

2. The Commission shall publish the names referred to in paragraph 1 together with the specifications for each such name in the Official Journal of the European Union within two months from reception.

3. Articles 51 and 52 shall apply.

4. Once the opposition procedure has finished, the Commission shall, where appropriate, adjust the entries in the register set out in Article 22. The corresponding specifications shall be deemed to be the specifications referred to in Article 19.

TITLE IV
OPTIONAL QUALITY TERMS

Article 27

Objective
A scheme for optional quality terms is established in order to facilitate the communication within the internal market of the value-adding characteristics or attributes of agricultural products by the producers thereof.

Article 28

National Rules
Member States may maintain national rules on optional quality terms which are not covered by this Regulation, provided that such rules comply with Union law.

Article 29

Optional quality terms
1. Optional quality terms shall satisfy the following criteria:

(a) the term relates to a characteristic of one or more categories of products, or to a farming or processing attribute which applies in specific areas;

(b) the use of the term adds value to the product as compared to products of a similar type; and

(c) the term has a European dimension.

2. Optional quality terms that describe technical product qualities with the purpose of putting into effect compulsory marketing standards and are not intended to inform consumers about those product qualities shall be excluded from this scheme.

3. Optional quality terms shall exclude optional reserved terms which support and complement specific marketing standards determined on a sectoral or product category basis.

4. In order to take into account the specific character of certain sectors as well as consumer expectations, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, laying down detailed rules relating to the criteria referred to in paragraph 1 of this Article.

5. The Commission may adopt implementing acts laying down all measures related to forms, procedures or other technical details, necessary for the application of this Title. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).

6. When adopting delegated and implementing acts in accordance with paragraphs 4 and 5 of this Article, the Commission shall take account of any relevant international standards.

Article 30

Reservation and amendment
1. In order to take account of the expectations of consumers, developments in scientific and technical knowledge, the market situation, and developments in marketing standards and in international standards, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, reserving an additional optional quality term and laying down its conditions of use.

2. In duly justified cases and in order to take into account the appropriate use of the additional optional quality term, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, laying down amendments to the conditions of use referred to in paragraph 1 of this Article.

Article 31

Mountain product
1. The term ‘mountain product’ is established as an optional quality term.

This term shall only be used to describe products intended for human consumption listed in Annex I to the Treaty in respect of which:

(a) both the raw materials and the feedstuffs for farm animals come essentially from mountain areas;

(b) in the case of processed products, the processing also takes place in mountain areas.

2. For the purposes of this Article, mountain areas within the Union are those delimited pursuant to Article 18(1) of Regulation (EC) No 1257/1999. For third-country products, mountain areas include areas officially designated as mountain areas by the third country or that meet criteria equivalent to those set out in Article 18(1) of Regulation (EC) No 1257/1999.
3. In duly justified cases and in order to take into account natural constraints affecting agricultural production in mountain areas, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, laying down derogations from the conditions of use referred to in paragraph 1 of this Article. In particular, the Commission shall be empowered to adopt a delegated act laying down the conditions under which raw materials or feedstuffs are permitted to come from outside the mountain areas, the conditions under which the processing of products is permitted to take place outside of the mountain areas in a geographical area to be defined, and the definition of that geographical area.

4. In order to take into account natural constraints affecting agricultural production in mountain areas, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, concerning the establishment of the methods of production, and other criteria relevant for the application of the optional quality term established in paragraph 1 of this Article.

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Article 32

Product of island farming

No later than 4 January 2014 the Commission shall present a report to the European Parliament and to the Council on the case for a new term, ‘product of island farming’. The term may only be used to describe the products intended for human consumption that are listed in Annex I to the Treaty the raw materials of which come from islands. In addition, for the term to be applied to processed products, processing must also take place on islands in cases where this substantially affects the particular characteristics of the final product.

That report shall, if necessary, be accompanied by appropriate legislative proposals to reserve an optional quality term ‘product of island farming’.

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Article 33

Restrictions on use

1. An optional quality term may only be used to describe products that comply with the corresponding conditions of use.

2. The Commission may adopt implementing acts laying down rules for the use of optional quality terms. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).

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Article 34

Monitoring

Member States shall undertake checks, based on a risk analysis, to ensure compliance with the requirements of this Title and, in the event of breach, shall apply appropriate administrative penalties.
The costs of such verification of compliance with the specifications may be borne by the operators that are subject to those controls. The Member States may also contribute to these costs.

2. In respect of designations of origin, geographical indications and traditional specialities guaranteed that designate products originating in a third country, the verification of compliance with the specifications before placing the product on the market shall be carried out by:

(a) one or more of the public authorities designated by the third country; and/or

(b) one or more of the product certification bodies.

3. Member States shall make public the name and address of the authorities and bodies referred to paragraph 1 of this Article, and update that information periodically.

The Commission shall make public the name and address of the authorities and bodies referred to in paragraph 2 of this Article and update that information periodically.

4. The Commission may adopt implementing acts, without applying the procedure referred to in Article 57(2), defining the means by which the name and address of product certification bodies referred to in paragraphs 1 and 2 of this Article shall be made public.

Article 38

Surveillance of the use of the name in the market place

Member States shall inform the Commission of the names and addresses of the competent authorities referred to in Article 36. The Commission shall make public the names and addresses of those authorities.

Member States shall carry out checks, based on a risk analysis, to ensure compliance with the requirements of this Regulation and, in the event of breaches, Member States shall take all necessary measures.

Article 39

Delegation by competent authorities to control bodies

1. Competent authorities may delegate, in accordance with Article 5 of Regulation (EC) No 882/2004, specific tasks related to official controls of the quality schemes to one or more control bodies.

2. Such control bodies shall be accredited in accordance with European Standard EN 45011 or ISO/IEC Guide 65 (General requirements for bodies operating product certification systems).

3. Accreditation referred to in paragraph 2 of this Article may only be performed by:

(a) a national accreditation body in the Union in accordance with the provisions of Regulation (EC) No 765/2008; or

(b) an accreditation body outside the Union that is a signatory of a multilateral recognition arrangement under the auspices of the International Accreditation Forum.

Article 40

Planning and reporting of control activities

1. Member States shall ensure that activities for the control of obligations under this Chapter are specifically included in a separate section within the multi-annual national control plans in accordance with Articles 41, 42 and 43 of Regulation (EC) No 882/2004.

2. The annual reports concerning the control of the obligations established by this Regulation shall include a separate section comprising the information laid down in Article 44 of Regulation (EC) No 882/2004.

CHAPTER II

Exceptions for certain prior uses

Article 41

Generic terms

1. Without prejudice to Article 13, this Regulation shall not affect the use of terms that are generic in the Union, even if the generic term is part of a name that is protected under a quality scheme.

2. To establish whether or not a term has become generic, account shall be taken of all relevant factors, in particular:

(a) the existing situation in areas of consumption;

(b) the relevant national or Union legal acts.

3. In order to fully protect the rights of interested parties, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, laying down additional rules for determining the generic status of terms referred to in paragraph 1 of this Article.

Article 42

Plant varieties and animal breeds

1. This Regulation shall not prevent the placing on the market of products the labelling of which includes a name or term protected or reserved under a quality scheme described in Title II, Title III, or Title IV that contains or comprises the name of a plant variety or animal breed, provided that the following conditions are met:

(a) the product in question comprises or is derived from the variety or breed indicated;

(b) consumers are not misled;
(c) the usage of the name of the variety or breed name constitutes fair competition;

(d) the usage does not exploit the reputation of the protected term; and

(e) in the case of the quality scheme described in Title II, production and marketing of the product had spread beyond its area of origin prior to the date of application for registration of the geographical indication.

2. In order to further clarify the extent of rights and freedoms of food business operators to use the name of a plant variety or of an animal breed referred to in paragraph 1 of this Article, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, concerning rules for determining the use of such names.

Article 43

Relation to intellectual property
The quality schemes described in Titles III and IV shall apply without prejudice to Union rules or to those of Member States governing intellectual property, and in particular to those concerning designations of origin and geographical indications and trade marks, and rights granted under those rules.

CHAPTER III
Quality scheme indications and symbols and role of producers

Article 44

Protection of indications and symbols
1. Indications, abbreviations and symbols referring to the quality schemes may only be used in connection with products produced in conformity with the rules of the quality scheme to which they apply. This applies in particular to the following indications, abbreviations and symbols:

(a) ‘protected designation of origin’, ‘protected geographical indication’, ‘geographical indication’, ‘PDO’, ‘PGI’, and the associated symbols, as provided for in Title II;

(b) ‘traditional speciality guaranteed’, ‘TSG’, and the associated symbol, as provided for in Title III;

(c) ‘mountain product’, as provided for in Title IV.

2. In accordance with Article 5 of Regulation (EC) No 1290/2005, the European Agricultural Fund for Rural Development (EAFRD) may, on the initiative of the Commission or on its behalf, finance, on a centralised basis, administrative support concerning the development, preparatory work, monitoring, administrative and legal support, legal defence, registration fees, renewal fees, trade mark watching fees, litigation fees and any other related measure required to protect the use of the indications, abbreviations and symbols referring to the quality schemes from misuse, imitation, evocation or any other practice liable to mislead the consumer, within the Union and in third countries.

3. The Commission shall adopt implementing acts laying down rules for the uniform protection of the indications, abbreviations and symbols referred to in paragraph 1 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).

Article 45

Role of groups
1. Without prejudice to specific provisions on producer organisations and inter-branch organisations as laid down in Regulation (EC) No 1234/2007, a group is entitled to:

(a) contribute to ensuring that the quality, reputation and authenticity of their products are guaranteed on the market by monitoring the use of the name in trade and, if necessary, by informing competent authorities as referred to in Article 36, or any other competent authority within the framework of Article 13(3);

(b) take action to ensure adequate legal protection of the protected designation of origin or protected geographical indication and of the intellectual property rights that are directly connected with them;

(c) develop information and promotion activities aiming at communicating the value-adding attributes of the product to consumers;

(d) develop activities related to ensuring compliance of a product with its specification;

(e) take action to improve the performance of the scheme, including developing economic expertise, carrying out economic analyses, disseminating economic information on the scheme and providing advice to producers;

(f) take measures to enhance the value of products and, where necessary, take steps to prevent or counter any measures which are, or risk being, detrimental to the image of those products.

2. Member States may encourage the formation and functioning of groups on their territories by administrative means. Moreover, Member States shall communicate to the Commission the name and address of the groups referred to in point 2 of Article 3. The Commission shall make this information public.

Article 46

Right to use the schemes
1. Member States shall ensure that any operator complying with the rules of a quality scheme set out in Titles II and III is entitled to be covered by the verification of compliance established pursuant to Article 37.
2. Operators who prepare and store a product marketed under the traditional speciality guaranteed, protected designation of origin or protected geographical indication schemes or who place such products on the market shall also be subject to the controls laid down in Chapter I of this Title.

3. Member States shall ensure that operators willing to adhere to the rules of a quality scheme set out in Titles III and IV are able to do so and do not face obstacles to participation that are discriminatory or otherwise not objectively founded.

### Article 47

**Fees**

Without prejudice to Regulation (EC) No 882/2004 and in particular the provisions of Chapter VI of Title II thereof, Member States may charge a fee to cover their costs of managing the quality schemes, including those incurred in processing applications, statements of opposition, applications for amendments and requests for cancellations provided for in this Regulation.

### CHAPTER IV

**Application and registration processes for designations of origin, geographical indications, and traditional specialities guaranteed**

#### Article 48

**Scope of application processes**

The provisions of this Chapter shall apply in respect of the quality schemes set out in Title II and Title III.

#### Article 49

**Application for registration of names**

1. Applications for registration of names under the quality schemes referred to in Article 48 may only be submitted by groups who work with the products with the name to be registered. In the case of a ‘protected designations of origin’ or ‘protected geographical indications’ name that designates a trans-border geographical area or in the case of a ‘traditional specialities guaranteed’ name, several groups from different Member States or third countries may lodge a joint application for registration.

A single natural or legal person may be treated as a group where it is shown that both of the following conditions are fulfilled:

(a) the person concerned is the only producer willing to submit an application;

(b) with regard to protected designations of origin and protected geographical indications, the defined geographical area possesses characteristics which differ appreciably from those of neighbouring areas or the characteristics of the product are different from those produced in neighbouring areas.

2. Where the application under the scheme set out in Title II relates to a geographical area in a Member State, or where an application under the scheme set out in Title III is prepared by a group established in a Member State, the application shall be addressed to the authorities of that Member State.

The Member State shall scrutinise the application by appropriate means in order to check that it is justified and meets the conditions of the respective scheme.

3. As part of the scrutiny referred to in the second subparagraph of paragraph 2 of this Article, the Member State shall initiate a national opposition procedure that ensures adequate publication of the application and that provides for a reasonable period within which any natural or legal person having a legitimate interest and established or resident on its territory may lodge an opposition to the application.

The Member State shall examine the admissibility of oppositions received under the scheme set out in Title II in the light of the criteria referred to in Article 10(1), or the admissibility of oppositions received under the scheme set out in Title III in the light of the criteria referred to in Article 21(1).

4. If, after assessment of any opposition received, the Member State considers that the requirements of this Regulation are met, it may take a favourable decision and lodge an application dossier with the Commission. It shall in such case inform the Commission of admissible oppositions received from a natural or legal person that have legally marketed the products in question, using the names concerned continuously for at least five years preceding the date of the publication referred to in paragraph 3.

The Member State shall ensure that its favourable decision is made public and that any natural or legal person having a legitimate interest has an opportunity to appeal.

The Member State shall ensure that the version of the product specification on which its favourable decision is based, is published, and shall provide electronic access to the product specification.

With reference to protected designations of origin and protected geographical indications, the Member State shall also ensure adequate publication of the version of the product specification on which the Commission takes its decision pursuant to Article 50(2).

5. Where the application under the scheme set out in Title II relates to a geographical area in a third country, or where an application under the scheme set out in Title III is prepared by a group established in a third country, the application shall be lodged with the Commission, either directly or via the authorities of the third country concerned.

6. The documents referred to in this Article which are sent to the Commission shall be in one of the official languages of the Union.
7. In order to facilitate the application process, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, defining the rules for carrying out the national objection procedure for joint applications concerning more than one national territory and complementing the rules of the application process.

The Commission may adopt implementing acts laying down detailed rules on procedures, form and presentation of applications, including for applications concerning more than one national territory. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).

Article 50

Scrutiny by the Commission and publication for opposition

1. The Commission shall scrutinise by appropriate means any application that it receives pursuant to Article 49, in order to check that it is justified and that it meets the conditions of the respective scheme. This scrutiny should not exceed a period of six months. Where this period is exceeded, the Commission shall indicate in writing to the applicant the reasons for the delay.

The Commission shall, at least each month, make public the list of names for which registration applications have been submitted to it, as well as their date of submission.

2. Where, based on the scrutiny carried out pursuant to the first subparagraph of paragraph 1, the Commission considers that the conditions laid down in this Regulation are fulfilled, it shall publish in the Official Journal of the European Union:

(a) for applications under the scheme set out in Title II, the single document and the reference to the publication of the product specification;

(b) for applications under the scheme set out in Title III, the specification.

Article 51

Opposition procedure

1. Within three months from the date of publication in the Official Journal of the European Union, the authorities of a Member State or of a third country, or a natural or legal person having a legitimate interest and established in a third country may lodge a notice of opposition with the Commission.

Any natural or legal person having a legitimate interest, established or resident in a Member State other than that from which the application was submitted, may lodge a notice of opposition with the Member State in which it is established within a time limit permitting an opposition to be lodged pursuant to the first subparagraph.

A notice of opposition shall contain a declaration that the application might infringe the conditions laid down in this Regulation. A notice of opposition that does not contain this declaration is void.

The Commission shall forward the notice of opposition to the authority or body that lodged the application without delay.

2. If a notice of opposition is lodged with the Commission and is followed within two months by a reasoned statement of opposition, the Commission shall check the admissibility of this reasoned statement of opposition.

3. Within two months after the receipt of an admissible reasoned statement of opposition, the Commission shall invite the authority or person that lodged the opposition and the authority or body that lodged the application to engage in appropriate consultations for a reasonable period that shall not exceed three months.

The authority or person that lodged the opposition and the authority or body that lodged the application shall start such appropriate consultations without undue delay. They shall provide each other with the relevant information to assess whether the application for registration complies with the conditions of this Regulation. If no agreement is reached, this information shall also be provided to the Commission.

At any time during these three months, the Commission may, at the request of the applicant extend the deadline for the consultations by a maximum of three months.

4. Where, following the appropriate consultations referred to in paragraph 3 of this Article, the details published in accordance with Article 50(2) have been substantially amended, the Commission shall repeat the scrutiny referred to in Article 50.

5. The notice of opposition, the reasoned statement of opposition and the related documents which are sent to the Commission in accordance with paragraphs 1 to 4 of this Article shall be in one of the official languages of the Union.

6. In order to establish clear procedures and deadlines for opposition, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, complementing the rules of the opposition procedure.

The Commission may adopt implementing acts laying down detailed rules on procedures, form and presentation of the oppositions. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).

Article 52

Decision on registration

1. Where, on the basis of the information available to the Commission from the scrutiny carried out pursuant to the first subparagraph of Article 50(1), the Commission considers that the conditions for registration are not fulfilled, it shall adopt implementing acts rejecting the application. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).
2. If the Commission receives no notice of opposition or no admissible reasoned statement of opposition under Article 51, it shall adopt implementing acts, without applying the procedure referred to in Article 57(2), registering the name.

3. If the Commission receives an admissible reasoned statement of opposition, it shall, following the appropriate consultations referred to in Article 51(3), and taking into account the results thereof, either:

(a) if an agreement has been reached, register the name by means of implementing acts adopted without applying the procedure referred to in Article 57(2), and, if necessary, amend the information published pursuant to Article 50(2) provided such amendments are not substantial; or

(b) if an agreement has not been reached, adopt implementing acts deciding on the registration. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).


**Article 53**

Amendment to a product specification

1. A group having a legitimate interest may apply for approval of an amendment to a product specification.

Applications shall describe and give reasons for the amendments requested.

2. Where the amendment involves one or more amendments to the specification that are not minor, the amendment application shall follow the procedure laid down in Articles 49 to 52.

However, if the proposed amendments are minor, the Commission shall approve or reject the application. In the event of the approval of amendments implying a modification of the elements referred to in Article 50(2), the Commission shall publish those elements in the *Official Journal of the European Union*.

For an amendment to be regarded as minor in the case of the quality scheme described in Title II, it shall not:

(a) relate to the essential characteristics of the product;

(b) alter the link referred to in point (i) or (ii) of Article 7(1);

(c) include a change to the name, or to any part of the name of the product;

(d) affect the defined geographical area; or

(e) represent an increase in restrictions on trade in the product or its raw materials.

For an amendment to be regarded as minor in the case of the quality scheme described in Title III, it shall not:

(a) relate to the essential characteristics of the product;

(b) introduce essential changes to the production method; or

(c) include a change to the name, or to any part of the name of the product.

The scrutiny of the application shall focus on the proposed amendment.

3. In order to facilitate the administrative process of an amendment application, including where the amendment does not involve any change to the single document and where it concerns a temporary change in the specification resulting from the imposition of obligatory sanitary or phytosanitary measures by the public authorities, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, complementing the rules of the amendment application process.

4. In order to facilitate the administrative process of an amendment application, including where the amendment does not involve any change to the single document and where it concerns a temporary change in the specification resulting from the imposition of obligatory sanitary or phytosanitary measures by the public authorities, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, complementing the rules of the amendment application process.

**Article 54**

Cancellation

1. The Commission may, on its own initiative or at the request of any natural or legal person having a legitimate interest, adopt implementing acts to cancel the registration of a protected designation of origin or of a protected geographical indication or of a traditional speciality guaranteed in the following cases:

(a) where compliance with the conditions of the specification is not ensured;

(b) where no product is placed on the market under the traditional speciality guaranteed, the protected designation of origin or the protected geographical indication for at least seven years.

The Commission may, at the request of the producers of product marketed under the registered name, cancel the corresponding registration.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).

2. In order to ensure legal certainty that all parties have the opportunity to defend their rights and legitimate interests, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, complementing the rules regarding the cancellation process.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).

The Commission may adopt implementing acts laying down detailed rules on procedures and form of the cancellation process, as well as on the presentation of the requests referred to in paragraph 1 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).
TITLE VI
PROCEDURAL AND FINAL PROVISIONS

CHAPTER I
Local farming and direct sales

Article 55
Reporting on local farming and direct sales

No later than 4 January 2014 the Commission shall present a report to the European Parliament and to the Council on the case for a new local farming and direct sales labelling scheme to assist producers in marketing their produce locally. That report shall focus on the ability of the farmer to add value to his produce through the new label, and should take into account other criteria, such as the possibilities of reducing carbon emissions and waste through short production and distribution chains.

That report shall, if necessary, be accompanied by appropriate legislative proposals on the creation of a local farming and direct sales labelling scheme.

CHAPTER II
Procedural rules

Article 56
Exercise of the delegation

1. The power to adopt the delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in the second subparagraph of Article 2(1), Article 5(4), the first subparagraph of Article 7(2), the first subparagraph of Article 12(5), Article 16(2), Article 18(5), the first subparagraph of Article 19(2), the first subparagraph of Article 23(4), Article 25(3), Article 29(4), Article 30, Article 31(3) and (4), Article 41(3), Article 42(2), the first subparagraph of Article 49(7), the first subparagraph of Article 51(6), the first subparagraph of Article 53(3) and the first subparagraph of Article 54(2) shall be conferred on the Commission for a period of five years from 3 January 2013. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3. The delegation of power referred to in the second subparagraph of Article 2(1), Article 5(4), the first subparagraph of Article 7(2), the first subparagraph of Article 12(5), Article 16(2), Article 18(5), the first subparagraph of Article 19(2), the first subparagraph of Article 23(4), Article 25(3), Article 29(4), Article 30, Article 31(3) and (4), Article 41(3), Article 42(2), the first subparagraph of Article 49(7), the first subparagraph of Article 51(6), the first subparagraph of Article 53(3) and the first subparagraph of Article 54(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5. A delegated act adopted pursuant to the second subparagraph of Article 2(1), Article 5(4), the first subparagraph of Article 7(2), the first subparagraph of Article 12(5), Article 16(2), Article 18(5), the first subparagraph of Article 19(2), the first subparagraph of Article 23(4), Article 25(3), Article 29(4), Article 30, Article 31(3) and (4), Article 41(3), Article 42(2), the first subparagraph of Article 49(7), the first subparagraph of Article 51(6), the first subparagraph of Article 53(3) and the first subparagraph of Article 54(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 57
Committee procedure

1. The Commission shall be assisted by the Agricultural Product Quality Policy Committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Where the committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.

CHAPTER III
Repeal and final provisions

Article 58
Repeal


However, Article 13 of Regulation (EC) No 509/2006 shall continue to apply in respect of applications concerning products falling outside the scope of Title III of this Regulation, received by the Commission prior to the date of entry into force of this Regulation.

2. References to the repealed Regulations shall be construed as references to this Regulation and be read in accordance with the correlation table in Annex II to this Regulation.
Article 59

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

However, Article 12(3) and Article 23(3) shall apply from 4 January 2016, without prejudice to products already placed on the market before that date.

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

Done at Strasbourg, 21 November 2012.

For the European Parliament
The President
M. SCHULZ

For the Council
The President
A. D. MAVROYIANNIS
ANNEX I

AGRICULTURAL PRODUCTS AND FOODSTUFFS REFERRED TO IN ARTICLE 2(1)

I. Designations of Origin and Geographical indications
   — beer,
   — chocolate and derived products,
   — bread, pastry, cakes, confectionery, biscuits and other baker's wares,
   — beverages made from plant extracts,
   — pasta,
   — salt,
   — natural gums and resins,
   — mustard paste,
   — hay,
   — essential oils,
   — cork,
   — cochineal,
   — flowers and ornamental plants,
   — cotton,
   — wool,
   — wicker,
   — scutched flax,
   — leather,
   — fur,
   — feather.

II. Traditional specialities guaranteed
   — prepared meals,
   — beer,
   — chocolate and derived products,
   — bread, pastry, cakes, confectionery, biscuits and other baker's wares,
   — beverages made from plant extracts,
   — pasta,
   — salt.
# ANNEX II

**CORRELATION TABLE REFERRED TO IN ARTICLE 58(2)**

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COMMISSION IMPLEMENTING REGULATION (EU) No 1208/2013
of 25 November 2013
approving minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Prosciutto di Parma (PDO))

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 subparagraph of Article 53(2) thereof,

Whereas:

(1) Pursuant to the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined Italy's application for the approval of amendments to the specification for the protected designation of origin 'Prosciutto di Parma' registered under Commission Regulation (EC) No 1107/96 of 12 June 1996 on the registration of geographical indications and designations of origin under the procedure laid down in Article 17 of Council Regulation (EEC) No 2081/92 (2).

(2) The purpose of the application is to amend the specification as follows.

(3) Following nutritional recommendations which have now been confirmed by the headquarters of the World Health Organisation, the maximum average value for the salt criterion has been reduced from 6.9 % to 6.2 % and the minimum average value from 4.5 % to 4.2 %.

(4) As regards the labelling of sliced and pre-packed 'Prosciutto di Parma', the requirement has been included to insert the acronym of the packaging/slicing firm instead of that of the producer under the consortium's symbol. Moreover, it has been made compulsory to include on the packaging of sliced and pre-packed 'Prosciutto di Parma' the name of the producer or, in any case, of a person who is registered in the protected designation of origin monitoring system and is subject to all the monitoring and certification procedures laid down by that system. The specific provisions contained in the Single Document regarding the graphic representation shown on the packaging have been replaced by a less detailed formulation.

(5) The table showing the minimum shelf-lives of the different categories of products and the various types of packaging technology for sliced and pre-packed 'Prosciutto di Parma' has been amended in accordance with the results of a number of recent studies on this matter.

(6) A clarification has been inserted in order to identify without ambiguity the categories of pigs' legs which are eligible for making the product by adding to the current wording 'main categories of the EEC classification' the specific information that the legs belong to the categories bearing the letters 'U', 'R' and 'O'.

(7) The Commission has examined the amendments in question and concluded that they are justified. Since the amendments are minor within the meaning of the third subparagraph of Article 53(2) of Regulation (EU) No 1151/2012, the Commission may approve them without following the procedure set out in Articles 50 to 52 of the Regulation.

HAS ADOPTED THIS REGULATION:

Article 1

The specification for the protected designation of origin 'Prosciutto di Parma' 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.


For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission
ANNEX I

In the specification for the protected designation of origin 'Prosciutto di Parma', the following amendments are approved:

AMENDMENT APPLICATION


AMENDMENT APPLICATION IN ACCORDANCE WITH ARTICLE 9

'PROSCIUTTO DI PARMA'


PGI ( ) PDO (X)

1. Headings in the specification affected by the amendments
   — Description of product
   — Method of production
   — Labelling

2. Type of amendment(s)
   — Amendment to Single Document or Summary Sheet

3. Amendment(s)

   A summary of the amendments made to the Single Document and to the text of the specification is given below.

   The first amendment concerns part B of the specification and point 5.2 of the Single Document; it relates to the moisture and salt criteria which characterise the product. In general, the standard has been simplified in order to facilitate its application. The substantive amendment concerns the reduction of the minimum and maximum average values for the salt criterion. The maximum value for this criterion has been reduced from 6.9 % to 6.2 % and the minimum value from 4.5 % to 4.2 %, in order to obtain an average value for salt in the product which is considerably lower than the previous values. This decision was taken following nutritional claims which have now been confirmed by the headquarters of the World Health Organisation.

   The second amendment also relates to part B (last point on labelling) as well as to part H of the specification and to point 3.7 of the Single Document; it concerns the labelling of sliced and pre-packed 'Prosciutto di Parma'. More precisely, the specific provisions laid down in the text have been replaced by more generic wording which does not contain technical requirements. This amendment is intended to simplify possible subsequent amendments relating to the graphic presentation of the packaging concerned in the sense that it will be easier to make amendments, in this case to the specification only, or to one of its annexes (the guideline referred to), instead of amending these documents and the Single Document at the same time.

   The third amendment relates to part H of the specification, but not to the Single Document. It also concerns the graphic representation shown on the packaging of sliced and pre-packed 'Prosciutto di Parma'. Also in the interests of greater commercial transparency, it has been laid down in particular that under the ducal crown the packaging/slicing firm's acronym must be inserted instead of the producer's. The packaging/slicing firm is in fact the last operator involved in making the product before it is placed on the market and is primarily responsible vis-à-vis the consumer. The rules on labelling in fact lay down that the packaging firm's head office must be added to the label. In the interests of consistency, next to that information the alphanumeric abbreviation must also be included which identifies that operator within the sector protected by the PDO 'Prosciutto di Parma'.

   The subsequent amendments, relating to Articles 13 and 14 of the slicing guideline for sliced and pre-packed 'Prosciutto di Parma', are closely linked to the preceding amendment. The aim of the amendments in question is to make it compulsory to include on the packaging of sliced and pre-packed 'Prosciutto di Parma' the name of the producer or the packaging firm which are registered in the PDO monitoring system and which are subject to all the monitoring and certification procedures laid down by the system governing the PDO 'Prosciutto di Parma'. In order to do this, the existing Article 13 has been supplemented and a new Article 14 has been added.

The reasons for this amendment are as follows. The version of the specification which is the subject of the amendment application does not require the inclusion on the product's labelling or packaging of the name of the producer or the packaging firm, thus leaving the possibility, provided for in the national and EU rules, of simply stating the name of the person who distributes or markets the product. The latter operator is clearly not involved in any activity relating to the production, monitoring and packaging of the product or to the checks carried out by the certifying body for the PDO 'Prosciutto di Parma'.

In order to adhere to the general idea and to a number of new principles established by Regulation (EU) No 1169/2011 of the European Parliament and of the Council (¹), and in particular to the provisions of Article 8 et seq., it has been decided, in an anticipatory manner because the Regulation has not yet definitively entered into force, to identify a 'food business operator responsible for the food information' (a function expressly provided for by the abovementioned Regulation) who is really able to guarantee that 'Prosciutto di Parma' complies with what is stated on its label. Only the producers who have made and checked the products and the firms which have carried out the slicing and packaging are able to provide this guarantee, it being known that slicing and packaging constitute a single, indivisible operation and that therefore the packaging firm is also the firm which carries out the slicing. These two operators are able to provide a substantive guarantee as regards the information given on the product and therefore they may legitimately be regarded as 'responsible' vis-à-vis consumers. In this connection, the compulsory inclusion on the label of only the producer's name could prove discriminatory and not justified with regard to the grounds for the amendment application.

Moreover, this amendment aims to identify as persons responsible for the information relating to the product only the persons registered in the official monitoring system of the certifying body for the PDO 'Prosciutto di Parma'. In this connection, the producers and the packaging/slicing firms both regularly undergo checks by the relevant authorities; here, too, choosing just one of them would contradict the grounds elucidated above.

For these reasons, we consider it necessary to provide for the dual possibility of showing the producer's name or that of the packaging/slicing firm.

Moreover, the inclusion on the packaging of the firm's full trade name (which replaces the use of alphanumeric abbreviations and of codes) improves the product traceability system, its transparency and makes that system more accessible, even to a moderately informed consumer.

When the name of the packaging/slicing firm is shown under the black triangle, the producer may also add, beside the other information shown on the label and the packaging, his own mark and company trade name.

More generally, the main aim of adding the trade name of the abovementioned operators on the front part of the packaging is to provide consumers with the guarantee that the product 'Prosciutto di Parma' complies with the information on its label, which is the responsibility of the operators subject to monitoring by the certifying body. The amendment aims to ensure that the information on the product's packaging is as transparent as possible, exclusively for the benefit of consumers when buying it.

A subsequent amendment likewise relates to the guideline on slicing and concerns the revision, rationalisation and simplification of Article 12 of that guideline which lays down standards regarding the minimum shelf-life of sliced pre-packed 'Prosciutto di Parma'. Based on the results of a number of recent studies on this, it was considered appropriate to revise the table laying down the time limits for the different product categories and the various types of packaging technology.

The last amendment concerns part C of the specification and, more particularly, the section containing provisions on rearing the pigs intended for the production of 'Prosciutto di Parma'. The definition of the rearing techniques specifies that these 'aim to obtain heavy pigs, an objective which must be pursued by ensuring a moderate daily weight gain, and to produce carcases falling within the main categories of the EEC classification'. The Italian rules, in addition to establishing a distinction between heavy pigs (H) and light pigs (L), lay down, in accordance with the Union rules, a classification scale subdivided into categories represented by the following letters EUROP. Despite the absence of an express reference to the letters in the text quoted, it is nevertheless clearly apparent in the provision that 'Prosciutto di Parma' may be made exclusively from the legs of heavy pigs (H) belonging to the main categories of the Community scale, i.e. those falling within the categories bearing the letters 'U', 'R' and 'O', since carcases bearing the letters 'E' and 'P' are excluded. This choice, made when drawing up the specification, is guided by the conviction that the characteristics of the legs of carcases certified as falling under the categories 'E' and 'P' are not compatible with the 'Prosciutto di Parma' production requirements.

(¹) OJ L 304, 22.11.2011, p. 18.
A discussion is currently taking place at Union level concerning the inclusion of the category bearing the letter 'S' in the abovementioned EUROP scale. The advanced stage reached in the legislative process would seem to confirm that soon the Community scale could become SEUROP, which will also have direct consequences for Italy, where the classification will concern both heavy and light pigs.

This innovation could pose major difficulties as regards the interpretation of the rules concerned contained in the specification; it would be difficult to determine the 'main categories of the classification' and there would be a risk of authorising the use of inadequate raw materials or of excluding those which are perfectly in keeping with the characteristics of 'Prosciutto di Parma'. Indeed, given the new presentation of the scale, its main categories could be represented by the categories bearing the letters 'E', 'U', 'R' and 'O' or by those bearing only the letters 'U' and 'R'. In the first case, pigs' legs bearing the letter 'E' would be added to the main categories, which would increase the risk of using raw materials not appropriate for the production of 'Prosciutto di Parma'. In the second case, legs bearing the letter 'O' would be excluded, although they have optimum characteristics.

In view of the above and in order to avoid these uncertainties regarding interpretation, it would be advisable to clarify the wording currently used in part C of the specification 'main categories of the EEC classification' by stating that these main categories concern carcasses bearing the letters 'U', 'R' and 'O'.
ANNEX II

CONSOLIDATED SINGLE DOCUMENT


‘PROSCIUTTO DI PARMA’
PGI ( ) PDO (X)

1. Name
‘Prosciutto di Parma’

2. Member State or third country
Italy

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
Aged raw ham; identified by a heat-affixed logo on the hide; with a rounded external shape; the distal part (the foot) and any external imperfections that may compromise the product image are removed, trimming to leave a maximum of 6 cm of meat standing proud–of the head of the femur; weight: normally 8-10 kg but never less than 7 kg; colour when cut: uniform pink to red, interspersed with pure white where fat is present; aroma and taste: delicate and sweet-tasting meat, not very salty with a typical fragrant aroma; characterised by conformity to precise analytical criteria measuring water content, salt and protein breakdown; after the logo is affixed, ‘Prosciutto di Parma’ may be marketed whole, boned, in pieces of variable weights and shapes or sliced and packaged appropriately.

3.3. Raw materials (for processed products only)
The raw material (fresh hind legs) used for the production of ‘Prosciutto di Parma’ is characterised by the following: the consistency of the fat is rated by calculating the iodine index and/or linoleic acid content taken in the internal and external fat layers of subcutaneous panniculus adiposus in the hind leg. Each sample must have a maximum iodine index of 70 and a maximum linoleic acid content of 15 %; the depth of the fat covering of the external part of the fresh, trimmed hind leg, measured vertically from the top of the femur (sotonoce), must be approximately 20 mm for fresh hind legs used for the production of ‘Prosciutto di Parma’ weighing between 7 and 9 kg and approximately 30 mm for fresh hind legs used for the production of ‘Prosciutto di Parma’ weighing more than 9 kg. The depth of this fat layer must not be less than 15 mm and 20 mm, respectively, for the two categories of fresh hind legs, including the rind. At the ‘crown’, the layer of fat must be such that the rind cannot separate from the underlying layer of muscle fibre. Fresh trimmed hind legs should preferably weigh between 12 and 14 kg but must never weigh less than 10 kg.

3.4. Feed (for products of animal origin only)
Authorised feed, quantities and instructions for use are listed in two tables — the first contains authorised feed for animals with a live weight of up to 80 kg, the second with feed authorised during the fattening phase. Feed is to be administered preferably in liquid form (gruel or wet mash), traditionally with added whey.

During the first phase, the level of dry matter in the grain must be at least 45 % of the total matter and, besides the feedstuffs prescribed for the second phase, the permitted feedstuffs are as follows: corn gluten feed, stoned carobs, fish meal, soybean meal, distiller’s grains, buttermilk, fats with a melting point higher than 36 °C, protein lysates, silage corn.

During the second phase (fattening), the level of dry matter in the grain must be at least 55% of the total matter and the permitted feedstuffs are as follows: corn, wet mash from grains and/or ears of corn, sorghum, barley, wheat, triticale, oats, minor cereals, bran and other wheat-processing by-products, dehydrated potatoes, pressed and ensiled beet pulp, linseed oil cakes, dried beet pulp, apple and pear pulp, grape and tomato skins as agents assisting intestinal passage, whey, buttermilk, lucerne meal, molasses, meal from soybean, sunflower seed, sesame, coconut, corn germ, peas and/or other legume seeds, beer yeast, torula yeast and other yeasts, fats with a melting point higher than 40 °C.

3.5. Specific steps in production that must take place in the defined geographical area

The production and ageing steps must take place in the production area specified in (4) in order to guarantee the quality, traceability and monitoring of the product.

3.6. Specific rules concerning slicing, grating, packaging, etc.

After the logo is affixed, 'Prosciutto di Parma' may be sold whole, boned, in pieces of variable weights and shapes or sliced, and packaged appropriately. In the case of the latter, the slicing and packaging processes must be carried out in the production area specified in point 4, first paragraph below and the distinctive PDO logo must be affixed to the package in such a way that it is indelible and cannot be removed, in accordance with the instructions set out in (3.7) below, so as to guarantee the quality characteristics typical of 'Prosciutto di Parma' and the full traceability of the product.

3.7. Specific rules concerning labelling

Although not part of the labelling, the first identifying feature of 'Prosciutto di Parma' that distinguishes it from other products on the market is the 'duke's crown' (heat-affixed mark reproducing the image of a five-point crown accompanied by the wording 'Parma'). This mark fulfills a double function: firstly, it distinguishes the product from other raw hams and guarantees its authenticity (identifying mark) and secondly, it guarantees that the product itself has undergone all the proper production steps and that it has been identified by the operators in question during each of those steps. The lawful use of the PDO is subject to the presence of the logo: without the 'duke's crown' the name in question may not be used to designate the product on labels, packaging or in sales documents, nor may it be used during commercial transactions (whole, sliced and prepackaged, or for retail sale in portions).

The following specifications are obligatory on the labelling of 'Prosciutto di Parma':

— for whole 'Prosciutto di Parma', on the bone:
  — 'Prosciutto di Parma' followed by 'denominazione di origine protetta' (protected designation of origin),
  — the production site,

— for packaged, whole, boned or cut 'Prosciutto di Parma':
  — 'Prosciutto di Parma' followed by 'denominazione di origine protetta' (protected designation of origin),
  — the packaging site,
  — the production date (if the seal is no longer visible),

— for sliced, pre-packaged 'Prosciutto di Parma':
  — the packages have a common part at the left upper edge, showing the back label 'duke's crown' and the words:
    — 'Prosciutto di Parma denominazione di origine protetta ai sensi della legge 13 Febbraio 1990, n.26 et del REG. (CE) n. 1107/96' (Prosciutto di Parma protected designation of origin in accordance with Law No 26 of 13 February 1990 and Regulation (EC) No 1107/96),
    — 'confezionato sotto il controllo dell’Organismo autorizzato' (packaged under the supervision of the authorised body),
  — the packaging site,
  — the production date (date indicating start of ageing as shown on the seal).
The use of adjectives such as ‘classic’, ‘authentic’, ‘extra’, ‘super’ or any other qualifying term or attribute added to the marketed product and other words not specifically provided for in the product specification is prohibited, except for the terms ‘disossato’ (boned) and ‘affettato’ (sliced).

4. Concise definition of the geographical area

‘Prosciutto di Parma’ is produced in the defined area in the Province of Parma which includes the territory of the Province of Parma (in the Region of Emilia-Romagna, Italy) that lies no less than 5 km south of the Via Emilia at an altitude of no more than 900 metres, and bordered to the east by the Enza river and to the west by the Stirone river.

The raw materials originate from a larger geographical area than the production area, which covers the following administrative regions: Emilia-Romagna, Veneto, Lombardy, Piedmont, Molise, Umbria, Tuscany, Marche, Abruzzi, Lazio (Italy).

5. Link with the geographical area

5.1. Specificity of the geographical area

The specific characteristics of ‘Prosciutto di Parma’ and the guarantee of compliance with strict quality, hygiene and food safety standards are all closely linked to environmental conditions and to natural and human factors. Within the defined geographical macro region, only a few rare restricted areas with unique, inimitable conditions and specific human skills have developed as production areas for hams with a designation. The production area for ‘Prosciutto di Parma’, a small part of the Province of Parma, is one of those restricted areas. The micro area is characterised by its unique ecological, climatic and environmental conditions which are created by the effect of the sea air from Versilia which, having taken on the scent of the olive groves and pine belts of Val di Magra through which it passes, shed its moisture onto the passes of the Apennines and acquired the fragrance of the chestnut groves, dries the ‘Prosciutto di Parma’ and lends it its exclusive sweet aroma.

5.2. Specificity of the product

‘Prosciutto di Parma’ is a raw ham that has been aged for a period of at least 12 months; the only ingredients permitted are pork and salt. The finished product has a rounded external shape and the distal part (the foot) has been removed, with a maximum of 6 cm of meat standing proud of the head of the femur. The aged product normally weighs 8-10 kg, but never less than 7 kg; the colour when cut is uniform pink to red, interspersed with pure white where fat is present; the meat has a delicate, sweet flavour, is not very salty and has a fragrant and characteristic aroma. In analyses, the product satisfies precise criteria relating to water content (between 59 % and 63.5 %), salt (between 4.2 % and 6.2 %) and protein breakdown (between 24 and 31 %).

5.3. Causal link between the geographical area and the quality or characteristics of the product (for PDO) or a specific quality, the reputation or other characteristic of the product (for PGI)

The production criteria that allow the PDO ‘Prosciutto di Parma’ to be conferred are closely linked to environmental conditions and to natural and human factors. There is a close link between the raw material and ‘Prosciutto di Parma’ which, coupled with production trends and the socioeconomic development of the geographic area, have produced unique qualities. The characteristics of the raw material have been utterly specific to the defined macro region of central, northern Italy (as specified in the second paragraph of point (4) since Etruscan times.

The way in which the rearing of heavy pigs for late slaughter has developed shows the various stages of pig breeding: starting with local indigenous breeds and developing in line with environmental, social and economic conditions – and in particular alongside cereal crop and dairy farming (which are a core aspect of feeding practice), in order to culminate gradually and naturally in the entirely separate production of a product which enjoys protected designation status. Within the defined geographical macro region there is a restricted area which, due to its unique and inimitable environmental conditions and specific human skills, has developed into the production area for ‘Prosciutto di Parma’. This defined area represents only a small part of the Province of Parma. The location of this micro area gives it its characteristic and unique ecological, climatic and environmental conditions brought about by the sea air from Versilia which, having taken on the scent of the olive groves and pine belts of Val di Magra through which it passes, shed its moisture onto the passes of the Apennines and acquired the rich fragrance of chestnut groves, dries the ‘Prosciutto di Parma’ and lends it its exclusive sweet aroma.

Parma is situated at the heart of the ancient lands of Cisalpine Gaul whose inhabitants reared large herds of pigs and were particularly skilled in the production of salted hams.
There are various written sources referring to the ham and its method of preparation, notably in the 1913 Chamber of Commerce lists, which mention the current production region. What at first was a purely artisanal method of production has now evolved into an industrial process but one which nevertheless preserves the traditional characteristics of the product.

The origin of the product is documented from a historical perspective, also with regard to the area of origin of the raw material as this method of production is the result of the evolution of the typical rural culture which is common to the entire macro region mentioned above and which is concentrated in a particular part of the Province of Parma because of the inimitable microclimate and environmental conditions found there.

**Reference to publication of the specification [Article 5(7) of Regulation (EC) No 510/2006]**


The consolidated text of the product specification may 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 home page of the Ministry of Agricultural, Food and Forestry Policy (www.politicheagricole.it) and clicking on ‘Qualità e sicurezza’ [Quality and safety] (at the top right of the screen), and then on ‘Disciplinari di Produzione all’esame dell’UE’.
COMMISSION REGULATION (EC) No 1107/96
of 12 June 1996
on the registration of geographical indications and designations of origin under the procedure laid down in Article 17 of Council Regulation (EEC) No 2081/92

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs (1), and in particular Article 17 thereof,

Whereas, pursuant to Article 17 of Regulation (EEC) No 2081/92, in the six months following the entry into force of that Regulation the Member States forwarded to the Commission the legally protected names or names established by usage they wished to register;

Whereas generic names are not registered;

Whereas Article 7 of Regulation (EEC) No 2081/92 does not apply to the procedure provided for in Article 17;

Whereas, pursuant to Article 14 (3) of Regulation (EEC) No 2081/92, a designation of origin or geographical indication may not be registered where, in the light of a trade mark's reputation and renown and the length of time it has been used, registration is liable to mislead the consumer as to the true identity of the product;

Whereas, where a designation of origin or geographical indication whose name has already been registered as a trade mark is granted protection at the initiative of a single producer in accordance with the criteria set out in Article 1 of Commission Regulation (EEC) No 2037/93 (2), that producer may not prevent other producers in the area defined who produce in accordance with the registered specification from using the protected designation of origin or the protected geographical indication;

Whereas, where a trade mark and a registered designation of origin or geographical indication could coincide, use of the trade mark corresponding to one of the situations referred to in Article 13 of Regulation (EEC) No 2081/92 may be continued only if that trade mark fulfils the conditions laid down in Article 14 (2) of that Regulation;

Whereas the registration of protected designations of origin or geographical indications does not imply exemption from the obligation to comply with the rules in force concerning agricultural products and foodstuffs;

Whereas the vote in the Committee provided for in Article 15 of Regulation (EEC) No 2081/92 resulted in no opinion; whereas, in the absence of an opinion and in accordance with that Article, the Commission forwarded a proposal to the Council for it to act on a qualified majority within three months; whereas, given that the Council did not act within that period, the proposed measures should be adopted by the Commission,


(2) OJ No L 185, 28. 7. 1993, p. 5.
HAS ADOPTED THIS REGULATION:

Article 1

The names listed in the Annex shall be registered as protected geographical indications (PGI) or protected designations of origin (PDO) pursuant to Article 17 of Regulation (EEC) No 2081/92.

Names not included in the Annex which have been forwarded pursuant to Article 17 shall continue to be protected at national level until a decision has been reached on them.

Article 2

This Regulation shall enter into force on the day of its publication in the Official Journal of the European Communities.

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

Done at Brussels, 12 June 1996.

For the Commission
Franz FISCHLER
Member of the Commission
ANNEX

A. PRODUCTS LISTED IN ANNEX II TO THE EC TREATY, INTENDED FOR HUMAN CONSUMPTION

Fresh meat (and offal)

SPAIN
— Carne de Ávila (PGI)
— Carne de Morucha de Salamanca (PGI)
— Pollo y Capón del Prat (PGI)
— Ternasco de Aragón (PGI)

FRANCE
— Agneau du Quercy (PGI)
— Bœuf de Chalosse (PGI)
— Veau de l’Aveyron et du Ségala (PGI)
— Dinde de Bresse (PDO)
— Volailles de Bresse (PDO)
— Volailles de Houdan (PGI)
— Agneau de l’Aveyron (PGI)
— Agneau du Bourbonnais (PGI)
— Bœuf charolais du Bourbonnais (PGI)
— Bœuf du Maine (PGI)
— Veau du Limousin (PGI)
— Volailles de l’Ain (PGI)
— Volailles du Gers (PGI)
— Volailles du Maine (PGI)
— Volailles de Loué (PGI)
— Volailles de l’Orléânais (PGI)
— Volailles de Bourgogne (PGI)
— Volailles du plateau de Langres (PGI)
— Volailles du Charolais (PGI)
— Volailles de Normandie (PGI)
— Volailles de Bretagne (PGI)
— Volailles de Challans (PGI)
— Volailles de Vendée (PGI)
— Volailles d’Alsace (PGI)
— Volailles du Forez (PGI)
— Volailles du Béarn (PGI)
— Volailles de Cholet (PGI)
— Volailles des Landes (PGI)
— Volailles de Léques (PGI)
— Volailles d’Auvergne (PGI)
— Volailles du Velay (PGI)
— Volailles du Val de Sèvres (PGI)
— Volailles d’Ancenis (PGI)
— Volailles de Janzé (PGI)
— Volailles du Gâtinais (PGI)
— Volailles du Berry (PGI)
— Volailles de la Champagne (PGI)
— Volailles du Languedoc (PGI)
— Volailles du Lauragais (PGI)
— Volailles de Gascogne (PGI)
— Volailles de la Drôme (PGI)

LUXEMBOURG
— Viande de porc, marque nationale grand-duché de Luxembourg (PGI)

PORTUGAL
— Borrego de Montemor-o-Novo (PGI)
— Borrego da Serra da Estrela (PDO)
— Cabrito das Terras Altas do Minho (PGI)
— Cabrito da Grañheira (PGI)
— Cabrito da Beira (PGI)
— Vitela de Lafões (PGI)
— Borrego da Beira (PGI)
— Cabrito do Barroso (PGI)
— Borrego Terrincho (PDO)
— Carne Alentejana (PDO)
— Carne Arouquesa (PDO)
— Carne Marinha (PDO)
— Carne Mertolenga (PDO)
— Cordeiro Bragançano (PDO)

UNITED KINGDOM
— Orkney beef (PDO)
— Orkney lamb (PDO)
— Scottish beef (PGI)
— Scottish lamb (PGI)
— Shetland lamb (PDO)

Meat-based products

BELGIUM
— Jambon d’Ardenne (PGI)

SPAIN
— Cecina de León (PGI)
— Dehesa de Extremadura (PDO)
— Guijuelo (PDO)
— Jamón de Teruel (PDO)
— Sobrasada de Mallorca (PGI)

ITALY
— Prosciutto di Parma (PDO)
— Prosciutto di S. Daniele (PDO)
— Prosciutto di Modena (PDO)
— Prosciutto Veneto Berico-Buganaro (PDO)
— Salame di Varzi (PDO)
— Salame Brianza (PDO)
— Speck dell’Alto Adige (PGI)

LUXEMBOURG
— Salaisons fumées, marque nationale Grand-Duché de Luxembourg (PGI)

PORTUGAL
— Presunto do Barroso (PGI)

Cheeses

DENMARK
— Danablu (PGI)
— Esrom (PGI)

GREECE
— Ανεβατό (Anevato) (PDO)
— Γαλοτύρι (Galotyri) (PDO)
— Γραβιέρα Αγράφων (Graviera Agrafon) (PDO) (1)
— Γραβιέρα Κρήτης (Graviera Kríti) (PDO) (1)
— Γραβιέρα Νάξου (Graviera Naxou) (PDO) (1)
— Καλαθάκι Λήμνου (Kalathaki Limnou) (PDO)
— Κασέρι (Kasseri) (PDO)
— Κατίκι Δομοκού (Katiki Domokou) (PDO)
— Κεφαλογραβιέρα (Kefalograviera) (PDO)
— Κοπανιστή (Kopanistí) (PDO)
— Λαδοτύρι Μυτιλήνης (Ladotyri Mytilinis) (PDO)

(1) Protection of the name ‘Γραβιέρα’ (Graviera) is not sought.
— Manouri (Manouri) (PDO)
— Metsovone (Metsovone) (PDO)
— Batsos (Batsos) (PDO)
— Xynomyzithra Kritis (PDO)
— Pichtogalo Chanion (PDO)
— San Michali (San Michali) (PDO)
— Stela (Stela) (PDO)
— Feta (Feta) (PDO)
— Formaella Arachovas Parnassou (PDO)

SPAIN
— Cabrales (PDO)
— Idiazabal (PDO)
— Mahon (PDO)
— Picón Bejes-Tresviso (PDO)
— Queso de Cantabria (PDO)
— Queso de La Serena (PDO)
— Queso Manchego (PDO)
— Queso Tetilla (PDO)
— Queso Zamorano (PDO)
— Quesucos de Liebana (PDO)
— Roncal (PDO)

FRANCE
— Beaufort (PDO)
— Bleu des Causses (PDO)
— Bleu du Haut-Jura, de Gex, de Septmoncel (PDO)
— Brocchiu Corse ou brocchiu (PDO)
— Chabichou du Poitou (PDO)(1)
— Crottin de Chavignol ou chavignol (PDO)(2)
— Époisses de Bourgogne (PDO)
— Laguiole (PDO)
— Ossau-Iraty-Brebis Pyrénées (PDO)(3)
— Pouligny Saint Pierre (PDO)
— Picon de l’Ardèche ou picodon de la Drôme (PDO)(4)
— Salers (PDO)
— Selles-sur-Cher (PDO)
— Sainte Maure de Touraine (PDO)(5)
— Tomme de Savoie (PGI)(6)
— Langres (PDO)
— Neufchâtel (PDO)
— Abondance (PDO)
— Camembert de Normandie (PDO)(7)
— Cantal ou fourme de Cantal ou cantalet (PDO)
— Chaource (PDO)
— Comté (PDO)
— Emmental de Savoie (PGI)(8)
— Emmental français est-central (PGI)(8)
— Livarot (PDO)
— Maroilles ou marolles (PDO)
— Munster ou munster-géromé (PDO)
— Pont-l’Évêque (PDO)
— Reblochon ou reblochon de Savoie (PDO)
— Roquefort (PDO)
— Saint-Nectaire (PDO)
— Tomme des Pyrénées (PGI)(9)

(1) Protection of the name ‘Chabichou’ is not sought.
(2) Protection of the name ‘Crottin’ is not sought.
(3) Protection of the name ‘Brebis Pyrénées’ is not sought.
(4) Protection of the name ‘Picodon’ is not sought.
(5) Protection of the name ‘Sainte Maure’ is not sought.
(6) Protection of the name ‘Tomme’ is not sought.
(7) Protection of the name ‘Camembert’ is not sought.
(8) Protection of the name ‘Emmental’ is not sought.
— Bleu d’Auvergne (PDO)
— Brie de Meaux (PDO)
— Brie de Melun (PDO)
— Mont d’or ou vacherin du Haut-Doubs (PDO)

ITALY
— Canestrato Pugliese (PDO)
— Fontina (PDO)
— Gorgonzola (PDO)
— Grana Padano (PDO)
— Parmigiano Reggiano (PDO)
— Pecorino Siciliano (PDO)
— Provolone Valpadana (PDO)
— Caciotta d’Urbino (PDO)
— Pecorino Romano (PDO)
— Quartirolo Lombardo (PDO)
— Taleggio (PDO)
— Asiago (PDO)
— Formai de Mut Dell’alta Valle Brembana (PDO)
— Montasio (PDO)
— Mozzarella di Bufala Campana (PDO)
— Murazzano (PDO)

NETHERLANDS
— Noord-Hollandse Edammer (PDO)
— Noord-Hollandse Gouda (PDO)

PORTUGAL
— Queijo de Nisa (PDO)
— Queijo de Azeitão (PDO)
— Queijo de Évora (PDO)
— Queijo de São Jorge (PDO)
— Queijo Rabasal (PDO)
— Queijo Serpa (PDO)
— Queijo Serra da Estrela (PDO)
— Queijos da Beira Baixa (Queijo de Castelo Branco, Queijo Amarcelo da Beira Baixa, Queijo Picante da Beira Baixa) (PDO)
— Queijo Terrincho (PDO)

UNITED KINGDOM
— White Stilton cheese (PDO)/Blue Stilton cheese (PDO)
— West Country farmhouse Cheddar cheese (PDO)
— Beacon Fell traditional Lancashire cheese (PDO)
— Swaledale cheese (PDO)/Swaledale ewes’ cheese (PDO)
— Bonchester cheese (PDO)
— Buxton blue (PDO)
— Dovedale cheese (PDO)
— Single Gloucester (PDO)

(*) Protection of the name ‘Brie’ is not sought.
(’’) Protection of the name ‘Canestrato’ is not sought.
(’’) Protection of the name ‘Pecorino’ is not sought.
(’’) Protection of the name ‘Provolone’ is not sought.
(’’) Protection of the name ‘Caciotta’ is not sought.
(’’) Protection of the name ‘Formai de Mut’ is not sought.
(’’) Protection of the name ‘Mozzarella’ is not sought.
(’’) Protection of the name ‘Noord-hollandse’ is not sought.
(’’) Protection of the name ‘Gouda’ is not sought.
(’’) Protection of the name ‘Cheddar’ is not sought.
(’’) Protection of the name ‘West country’ is not sought.
(’’) Protection of the name ‘Lancashire’ is not sought.
Other products of animal origin (eggs, honey, milk products excluding butter, etc.)

SPAIN
— Miel de La Alcarria (PDO)

FRANCE
— Crème d’Isigny (PDO)
— Crème fraîche fluide d’Alsace (PGI)

LUXEMBOURG
— Miel luxembourgeois de marque nationale (PDO)

PORTUGAL
— Mel da Serra da Lousã (PDO)
— Mel das Terras Altas do Minho (PDO)
— Mel da Terra Quente (PDO)
— Mel da Serra de Monchique (PDO)
— Mel do Parque de Montezinho (PDO)
— Mel do Alentejo (PDO)
— Mel dos Açores (PDO)
— Mel do Barroso (PDO)
— Mel do Ribatejo Norte (Serra d’Aire, Albufeira do Castelo do Bode, Bairro, Alto Nabão) (PDO)

Oils and fats

BELGIUM
— Beurre d’Ardenne (PDO)

Olive oils

GREECE
— Βιάννος Ηρακλείου Κρήτης (Viannos Iraklion Crete) (PDO) (1)(2)
— Λυγουριό Ασκληπιείου (Lygourio Asklipiou) (PDO)
— Βόρειος Μυλοπόταμος Ρεθύμνος Κρήτης (Vorios Mylopotamos Rethymno Crete) (PDO) (3)(4)
— Κρόκες Λακωνίας (Krokees Lakonia) (PDO) (1)
— Πέτρινα Λακωνίας (Petrina Lakonia) (PDO) (5)
— Κρανίδι Αργολίδας (Kranidi Argolidas) (PDO) (6)
— Πεζά Ηρακλείου Κρήτης (Peza Iraklion Crete) (PDO) (7)(1)
— Αρχάνες Ηρακλείου Κρήτης (Archanes Iraklion Crete) (PDO) (8)(1)
— Λακωνία (Lakonia) (PGI)
— Χανιά Κρήτης (Hania Crete) (PGI) (9)
— Κέφαλοι (Kefalonia) (PGI)
— Ολυμπία (Olympia) (PGI)
— Λέσβος (Lesbos) (PGI)
— Πρέβεζα (Preveza) (PGI)
— Ρόδος (Rhodes) (PGI)
— Θάσος (Thassos) (PGI)

SPAIN
— Baena (PDO)
— Les Garrigues (PDO)
— Sierra de Segura (PDO)
— Siurana (PDO)

FRANCE
— Huile d’olive de Nyons (PDO)
— Beurre d’Isigny (PDO)
— Beurre Charentes-Poitou — Beurre des Charentes — Beurre des Deux-Sèvres (PDO)

(1) Protection of the name ‘Ηρακλείου’ (Iraklion) is not sought.
(2) Protection of the name ‘Κρήτης’ (Crete) is not sought.
(3) Protection of the name ‘Πεζά’ (Rethymno) is not sought.
(4) Protection of the name ‘Λακωνίας’ (Lakonias) is not sought.
(5) Protection of the name ‘Αρχάνες’ (Argolidas) is not sought.
LUXEMBOURG
— Beurre rose de marque nationale grand-duché de Luxembourg (PDO)

PORTUGAL
— Azeite de Moura (PDO)
— Azeite de Trás-os-Montes (PDO)
— Azeite do Ribatejo (PDO)
— Azeites do Norte Alentejano (PDO)
— Azeite da Beira Interior (Azeite da Beira Alta, Azeite da Beira Baixa) (PDO)

Fruit, vegetables and cereals

GREECE
— Ακτινίδιο Σπερχειού (kiwi Sperchiou) (PDO)
— Ελιά Καλαμάτας (olive de Kalamata) (PDO)
— Κέλυφωτό φυστίκι Φθιώτιδας (pistache de Phthiotida) (PDO)
— Κουμ Κούκτ Κερκύρας (kumquat de Corfou) (PGI)
— Ξερά σύκα Κύμης (figues sèches de Kimi) (PDO)
— Μήλα Ζαγοράς Πηλίου (pommes Zagoras Piliou) (PDO) (¹)
— Τσακώνικη Μελιτζάνα Αεωνίδιου (aubergine tskonique de Léonidio) (PDO)

SPAIN
— Arroz del Delta del Ebro (PGI)
— Calasparra (PDO)
— Cerezas de la Montaña de Alicante (PGI)
— Espárrago de Navarra (PGI)
— Faba Asturiana (PGI)
— Judias de El Barco de Ávila (PGI)
— Lenteja de La Armuna (PGI)
— Nísperos Callosa d’En Sarriá (PDO)
— Pimientos del Piquillo de Lodosa (PDO)
— Uva de mesa embolsada ‘Vinalopo’ (PDO)

FRANCE
— Ail rose de Lautrec (PGI)
— Noix de Grenoble (PDO)
— Pommes et poires de Savoie (PGI)
— Poireaux de Créances (PGI)
— Chasselas de Moissac (PDO)
— Mirabelles de Lorraine (PGI)
— Olives noires de Nyons (PDO)
— Pommes de terre de Merville (PGI)

ITALY
— Arancia Rossa di Sicilia (PGI)
— Cappero di Pantelleria (PGI)
— Castagna di Montella (PGI)
— Fungo di Borgotaro (PGI)
— Nocciola del Piemonte (PGI)

NETHERLANDS
— Opperdoozer Ronde (PDO)

AUSTRIA
— Wachauer Marille (PDO)

PORTUGAL
— Amêndoa do Douro (PDO)
— Ameixa d’Elvas (PDO)
— Ananás dos Açores/São Miguel (PDO)
— Azeitona de conserva Negrinha de Freixo (PDO)
— Castanha dos Soutos da Lapa (PDO)

¹ Protection of the name ‘Πηλίου’ (Pilos) is not sought.
— Castanha Marvão-Portalegre (PDO)
— Castanha de Pradela (PDO)
— Castanha da Terra Fria (PDO)
— Citrinos do Algarve (PGI)
— Cereja de São Julião-Portalegre (PDO)
— Cereja da Cova da Beira (PGI)
— Maçã de Portalegre (PGI)
— Maçã da Beira Alta (PGI)
— Maçã Bravo de Esmolfe (PDO)
— Maçã da Cova da Beira (PGI)
— Maçã de Alcobaça (PGI)
— Maracujá de São Miguel/Açores (PDO)
— Pêssego da Cova da Beira (PGI)

UNITED KINGDOM
— Jersey Royal potatoes (PDO)

Other Annex II products

Ciders

UNITED KINGDOM
— Herefordshire cider/perry (PGI)
— Worcestershire cider/perry (PGI)
— Gloucestershire cider/perry (PGI)

B. FOODSTUFFS LISTED IN ANNEX I TO REGULATION (EEC) No 2081/92

Beer

UNITED KINGDOM
— Newcastle brown ale (PGI)
— Kentish ale and Kentish strong ale (PGI)
— Rutland bitter (PGI)

Natural mineral waters and spring waters

GERMANY
— Bad Hersfelder Naturquelle (PDO)
— Bad Pyrmont (PDO)
— Birresborner (PDO)
— Bissinger Auerquelle (PDO)
— Caldener Mineralbrunnen (PDO)
— Ensinger Mineralwasser (PDO)
— Felsenquelle Beiseförth (PDO)
— Gemminger Mineralquelle (PDO)
— Graf Meinhard Quelle Giessen (PDO)
— Haaner Felsenquelle (PDO)
— Haltern Quelle (PDO)
— Katlenburger Burgbergquelle (PDO)
— Kißlagger Mineralquelle (PDO)
— Leisslinger Mineralbrunnen (PDO)
— Löwensteiner Mineralquelle (PDO)
— Rhenser Mineralbrunnen (PDO)
— Rilchner Amandus Quelle (PDO)
— Rilchner Gräfin Mariannen-Quelle (PDO)
— Siegsdorfer Petrusquelle (PDO)
— Teinacher Mineralquellen (PDO)
— Überkinger Mineralquelle (PDO)
— Vesalia Quelle (PDO)
— Bad Niedermauer Quelle (PDO)
— Göppinger Quelle (PDO)
— Höllen Sprudel (PDO)
— Lieler Quelle (PDO)
Bread, pastry, cakes, confectionery, biscuits and other baker's wares

GREECE
— Κρητικό παξιμάδι (Cretan biscotte) (PGI)

SPAIN
— Turrón de Jijona (PGI)
— Turrón de Alicante (PGI)

FRANCE
— Bergamote(s) de Nancy (PGI)

C. AGRICULTURAL PRODUCTS LISTED IN ANNEX II TO REGULATION (EEC)
No 2081/92

Essential oils

FRANCE
— Huile essentielle de lavande de Haute-Provence (PDO)
PROSCIUTTO DI PARMA (PARMA HAM)

PROTECTED DESIGNATION OF ORIGIN

(Specifications and Dossier pursuant to Article 4 of Council Regulation EEC no. 2081/92 dated 14 July 1992)

ANNEXES

SECTION A REFERENCE DOCUMENTS

Law No. 506 dated 04 July 1970
Law No. 26 dated 13 February 1990
Presidential Decree No. 83 dated 03 January 1978
Ministerial Decree No. 253 dated 15 February 1993

SECTION B REFERENCE DOCUMENTS

Measure defining analytical qualitative parameters.
Directive on the slicing and packaging of Parma Ham.
Blank sample pack of pre-sliced Parma Ham.

SECTION C REFERENCE DOCUMENTS

Definition of processing area
Definition of area of origin of raw materials
Excerpt of law No. 142 dated 19 February 1992
Exemplifying digest of relevant articles:
- the use of whey and grains in the diet of "heavy pigs";
- breeds that are fit and unfit for the production of "heavy pigs";
- research studies on the characteristics of subcutaneous fat in "heavy pigs"
Bibliographic material on the production of Italian heavy pigs
Specimen of the breeder's certificate
Directive on the procedures for filling in and handling breeder's certificates
Specimens of application forms for breeding farms and abattoirs
Specimen of numbered abattoir firebrand ("PP")
Specimens of the seal
Specimen of the seal application report
Specimen of the certification brand (fire-branding) report
Partial copy of the producer's report
Imprint of the Ducal Crown trademark

SECTION D REFERENCE DOCUMENTS

Bibliography of publications containing historical references to various aspects of Parma Ham, in particular pig breeding in the Po Valley and in Parma, production and marketing of Parma Ham.
Copy of the “Notice for reporting salted pork meats and wholesale trading of same” published by the Governor of Parma on 21 April 1764, which includes also bone-in ham (“prefciuto con l’offo”).
Copy of an abstract of the “Topographical Glossary of the Dukedoms of Parma, Piacenza and Guastalla” by Lorenzo Molossi, printed in 1832/34, which makes explicit reference to the breeding of “swine” intended for the production of dry-cured hams.
Copy of various pages of the 1915 bulletin of the Parma Chamber of Commerce containing, in the section dedicated to dry-cured meats, “aged ham”.
Abstract of the Registrar of Companies of the Parma Chamber of Commerce, which testifies to the incorporation, in the 1920s and 1930s, of ham producing companies.

SECTION E REFERENCE DOCUMENTS

Specimen of the application form requesting producer authorisation
Photographs of the processing stages of Parma Ham.

SECTION F REFERENCE DOCUMENTS

EEC Regulation No. 3220/84;
Commission Resolution dated 21 December 1988
Commission Resolution dated 20 November 1989
Decree of the Ministry of Agriculture and Forestry dated 24 February 1989
Copy of articles containing notes on the tie between production and the defined geographical area.

SECTION H REFERENCE DOCUMENTS

Record of registration of the "Ducal Crown" trademark of 1963
Record of registration of the "Ducal Crown" trademark of 1973 (amending the 1963 registration)
Ministerial Decree dated 9 October 1978 - Annex 4
Registration certificate of the "Ducal Crown" trademark of 1987 (essential for WIPO registration)
Ministerial Decree dated 26 August 1991
Ministerial Decree dated 9 October 1978 - Annex 3
Ministerial Decree dated 04 August 1986
SECTION A

PRODUCT NAME: PROSCIUTTO DI PARMA (PARMA HAM)

Since 1970 the designation of origin “Prosciutto di Parma” has been legally protected at a national level by Law No. 506 dated 4 July 1970 and was subsequently recognised as a PDO with EC Regulation No. 1107 dated 12 June 1996 pursuant to EEC Regulation no. 2081/92.

SECTION A REFERENCE DOCUMENTS

A.1: Law No. 506 dated 04 July 1970
A.2: Law No. 26 dated 13 February 1990
A.3: Presidential Decree No. 83 dated 03 February 1978
A.4: Ministerial Decree No. 253 dated 15 February 1993

SECTION B

PRODUCT DESCRIPTION, RAW MATERIALS USED AND MAIN PHYSICAL, CHEMICAL, MICROBIOLOGICAL AND ORGANOLEPTIC CHARACTERISTICS.

The designation of origin ‘Parma Ham’ is exclusively reserved for ham that is marked in a permanently identifiable way, is obtained from the fresh legs of pigs born, bred and slaughtered in any one of the Regions specified in Art. 3 of Ministerial Decree No. 253 dated 15 February 1993, produced in compliance with the legal and regulatory provisions, matured in the typical production area as defined in Art. 2 of Law No. 26 of 13 February 1990 for a minimum of 12 months from salting. The weight refers to bone-in hams at the time of application of the above-mentioned certification brand.

The distinctive features of Parma Ham are as follows:

a) curved exterior: without distal part (trotter), devoid of external blemishes likely to impair the product’s image, with exposure of the muscular part above the head of the femur (best end) limited to 6 centimetres (short trimming);

b) weight: as a rule, between eight and ten kilograms, and anyway not less than seven;

c) colour when sliced: uniformly ranging from pink to red, marbled with white fat;

d) aroma and flavour: mild and delicate flavour, slightly salty with a fragrant and distinctive aroma;

e) fulfilment of predetermined analytical parameters.

The criterion adopted for selecting the qualitative parameters is based on a combination of organoleptic qualities and chemical parameters. This method has led to the identification of
the following parameters: salt, moisture and soluble nitrogen content (proteolysis index). It is known, as a matter of fact, that high-quality ham must contain a limited quantity of sodium chloride and moisture, whereas an excessive proteolysis index has been found to adversely affect the consistency of the lean meat.

For each of the three parameters mentioned above a confidence range has been calculated that is translated into reference values to ascertain whether or not a sample of hams, randomly selected in a processing plant, belong to the reference population and can therefore be considered as representative of the average characteristics of Parma Ham.

The ranges for the above parameters are:

- **Moisture**: 59.0% - 63.5%
- **Salt**: 4.2% - 6.2%
- **Proteolysis index**: 24.0% - 31.0%

The values that define the ranges of each parameter do not refer to a single ham sample but to the average of the hams sampled in the production plant, from which only a lean fraction from the biceps femoris is taken.

The raw materials (fresh pork legs) used for the production of Parma Ham have the following characteristic features:

- **Fat consistency**: it is assessed by determining the iodine number and/or linoleic acid content both on the inner and outer fat layer of the leg subcutaneous panniculus adiposus. For each sample, the iodine number and the linoleic acid content shall not exceed 70 and 15%, respectively;
- **Subcutaneous fat layer**: the thickness of fat on the outer portion of trimmed fresh legs, measured vertically at the head of the femur (best end), should be about 20 millimetres for the fresh legs used for the production of Parma Hams weighing between 7 and 9 kilograms, and about 30 millimetres for those used for the production of Parma Hams weighing more than 9 kilograms.
  
  This layer shall not, however, be thinner than 15 mm and 20 mm respectively for the two categories of fresh legs, including the rind.
  
  At the “coronet” the fat layer shall be such as to prevent detachment of the rind from the underlying muscular fascia;

- **Weight of fresh legs**: trimmed fresh legs should preferably weigh between 12 and 14 kilograms but in no case less than 10 kilograms;

- **Quality of meat**: fresh legs of pigs affected by full-blown myopathies (PSE, DFD, evidence of the consequences of phlogistic or traumatic processes, etc.) that have been certified by a vet at the abattoir shall be excluded from protected production;

- **Leg preservation**: with the exception of refrigeration, fresh legs shall not undergo any preservation treatment, including freezing. Refrigeration means that legs shall be kept at a core temperature between \(-1\) C° and +4 C° during storage and transportation;

- **Legs from slaughtered pigs**: legs from pigs slaughtered less than 24 hours and more than 120 hours before shall not be used.

Once the certification brand has been applied, Parma Ham can also be sold de-boned, in pieces of various shapes and weights, or sliced and duly packed. Should it not be possible to
retain the certification brand on the product, this shall be affixed to the package in an indelible and permanent way under the supervision of the Certification Body. In these cases, packaging operations shall be carried out within the typical production area. Parma Ham can be packaged in modified atmosphere or vacuum packages of variable size, shape and weight. All Parma Ham packs shall bear a common part on the top left corner consisting of the Consorzio del Prosciutto di Parma certification mark and the wordings “Prosciutto di Parma”. Denominazione di origine protetta ai sensi della legge 13 febbraio 1990 n° 26. Confezionato sotto il controllo dell'organismo incaricato ("Parma Ham". Protected Designation of Origin pursuant to Law No. 26 dated 13 February 1990. Packaged under the supervision of the Certification Body). Furthermore, the common part shall have the characteristics and comply with the conditions specifically established by the Directive concerning Slicing and Packaging Operations.

The Directive that governs this subject matter defines the chemical-physical and commercial characteristics of the product to be used, in particular with regard to size and maturation period. All operations, from the initial de-boning phase down to final slicing and packaging, are carried out under the direct supervision of inspectors belonging to the Certification Body (refer to Section G for further details).

SECTION B REFERENCE DOCUMENTS

Measure defining analytical qualitative parameters.

Directive on the slicing and packaging of Parma Ham.

Blank sample pack of pre-sliced Parma Ham.

Other reference documents:
- Law No. 26/90 (Section A)
- Ministerial Decree 253/93 (Section A)
- Production directions on pig breeding (Section C)

SECTION C

DEFINITION OF GEOGRAPHICAL AREA AND COMPLIANCE WITH THE PROVISIONS OF ARTICLE 2, PARAGRAPH 4

The typical production area of Parma Ham – as identified by Law No. 26 dated 13 February 1990 and before that, by law No. 506 dated 4 July 1970 – includes the territory of the province of Parma (Emilia-Romagna region, Italy) located South of the Emilia Road, at a distance therefrom of not less than 5 km, and up to a maximum altitude of 900 metres, bordered by the River Enza to the East and by the Stirone stream to the West.

The processing plants (ham curing plants) and the slicing and packaging plants shall be located within the area defined in point C.1, where all the processing phases of the raw material shall take place in compliance with these Specifications.
The raw material comes from a geographical area that is larger than the production area, and which includes the administrative districts of the following Italian Regions: Emilia-Romagna, Veneto, Lombardy, Piedmont, Molise, Umbria, Tuscany, Marche, Abruzzo and Lazio (Italy).


All the pig breeding farms that supply the legs used for the production of Parma Ham, all the abattoirs authorised to carry out their preparation as well as all the cutting plants that are part of the protected production chain shall be located within the above area of origin.

To meet the requirements set forth in Section F regarding the production of the raw material pursuant to Article 2, paragraph 5 of EEC Regulation No. 2081/92, the following special conditions and provisions shall be complied with:

BREEDS AND REQUIREMENTS OF PIGS INTENDED FOR THE PRODUCTION OF PARMA HAM

- Animals, either purebred or derived from the standard, traditional Large White and Landrace breeds, as improved by the Italian Herd Book, are accepted.

- Animals derived from the Duroc breed, as improved by the Italian Herd Book, are also accepted.

- Animals belonging to other breeds, either cross-breeds or hybrids, are accepted provided they derive from breeding or cross-breeding programmes carried out with aims consistent with those pursued by the Italian Herd Book for the production of heavy pigs.

- In accordance with tradition, animals that carry antithetical traits, with particular reference to stress sensitivity (PSS), nowadays objectively identifiable “post mortem” and on matured products are not allowed.

- All animals whose legs do not conform to these production requirements are in any case excluded; as for the characteristics of fresh pork legs, the relevant requirements are contained in Section B above.

- Purebred animals belonging to the breeds Belgian Landrace, Hampshire, Pietrain, Duroc and Spotted Poland are excluded.

OTHER REQUIREMENTS AND SPECIAL CONDITIONS

- The genetic types used shall ensure the achievement of heavy weights with high degrees of efficiency and, in any case, an average weight per lot (live weight) of 160 kilograms with more or less 10%.

- The minimum slaughtering age is nine months and can be inferred from the tattoo affixed in accordance with Article 4, paragraph 3 of Ministerial Decree No. 253/93.

- The use of boars and sows is excluded.
- Pigs shall be slaughtered in very good health conditions and perfectly drained of blood.

C.6.3. FEEDING OF PIGS INTENDED FOR THE PRODUCTION OF PARMA HAM

- The table below contains the different types of feed allowed and the relevant quantities and methods to be used.

- Feed shall be preferably prepared in liquid form (swill or mash) and, according to tradition, with the addition of whey.

**Feed admitted up to 80 kilograms of live weight.**

All types of feed that can be used during the fattening period, in suitable concentration, as well as those listed below. The presence of dry matter from grains shall not be lower than 45% of the total.

<table>
<thead>
<tr>
<th>Feed Type</th>
<th>d.m.:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corn gluten flour and/or corn gluten feed</td>
<td>up to 5% of the d.m. in the ration</td>
</tr>
<tr>
<td>De-stoned carob beans</td>
<td>up to 3% of the d.m. in the ration</td>
</tr>
<tr>
<td>Fish meal</td>
<td>up to 1% of the d.m. in the ration</td>
</tr>
<tr>
<td>Soybean extraction meal</td>
<td>up to a maximum of 20%</td>
</tr>
<tr>
<td>Distillers</td>
<td>up to 3% of the d.m. in the ration</td>
</tr>
<tr>
<td>Buttermilk*</td>
<td>up to a maximum of 6 ltrs/head per day</td>
</tr>
<tr>
<td>Lipids with a melting point higher than 36 C°</td>
<td>up to 2% of the d.m. in the ration</td>
</tr>
<tr>
<td>Protein lysates</td>
<td>up to 1% of the d.m. in the ration</td>
</tr>
<tr>
<td>Corn silage</td>
<td>up to 10% of the d.m. in the ration</td>
</tr>
</tbody>
</table>

d.m.= dry matter
Feed admitted during the fattening phase

The presence of dry matter from grains during the fattening phase shall not be lower than 55% of the total.

<table>
<thead>
<tr>
<th>Feed</th>
<th>d.m.</th>
<th>Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corn</td>
<td>d.m.:</td>
<td>up to 55% of the d.m. in the ration</td>
</tr>
<tr>
<td>Kernel and/or corncob mash</td>
<td>d.m.:</td>
<td>up to 55% of the d.m. in the ration</td>
</tr>
<tr>
<td>Sorghum</td>
<td>d.m.:</td>
<td>up to 40% of the d.m. in the ration</td>
</tr>
<tr>
<td>Barley</td>
<td>d.m.:</td>
<td>up to 40% of the d.m. in the ration</td>
</tr>
<tr>
<td>Wheat</td>
<td>d.m.:</td>
<td>up to 25% of the d.m. in the ration</td>
</tr>
<tr>
<td>Triticale</td>
<td>d.m.:</td>
<td>up to 25% of the d.m. in the ration</td>
</tr>
<tr>
<td>Oats</td>
<td>d.m.:</td>
<td>up to 25% of the d.m. in the ration</td>
</tr>
<tr>
<td>Minor grains</td>
<td>d.m.:</td>
<td>up to 25% of the d.m. in the ration</td>
</tr>
<tr>
<td>Bran and other by-products of wheat processing</td>
<td>d.m.:</td>
<td>up to 20% of the d.m. in the ration</td>
</tr>
<tr>
<td>Dehydrated potato***</td>
<td>d.m.:</td>
<td>up to 15% of the d.m. in the ration</td>
</tr>
<tr>
<td>Cassava***</td>
<td>d.m.:</td>
<td>up to 5% of the d.m. in the ration</td>
</tr>
<tr>
<td>Pressed beet pulp silage</td>
<td>d.m.:</td>
<td>up to 15% of the d.m. in the ration</td>
</tr>
<tr>
<td>Expeller pressed flax</td>
<td>d.m.:</td>
<td>up to 2% of the d.m. in the ration</td>
</tr>
<tr>
<td>Dried exhausted beet pulp</td>
<td>d.m.:</td>
<td>up to 4% of the d.m. in the ration</td>
</tr>
<tr>
<td>Apple and pear residue; grape and tomato skins as supplement carriers</td>
<td>d.m.:</td>
<td>up to 2% of the d.m. in the ration</td>
</tr>
<tr>
<td>Whey*</td>
<td>d.m.:</td>
<td>up to a maximum of 15 ltrs head/day</td>
</tr>
<tr>
<td>Buttermilk*</td>
<td>d.m.:</td>
<td>up to a maximum intake of dry matter of 250 grams head/day</td>
</tr>
<tr>
<td>Dehydrated aflalfa meal</td>
<td>d.m.:</td>
<td>up to 2% of the d.m. in the ration</td>
</tr>
<tr>
<td>Molasses**</td>
<td>d.m.:</td>
<td>up to 5% of the d.m. in the ration</td>
</tr>
<tr>
<td>Soybean extraction meal</td>
<td>d.m.:</td>
<td>up to 15% of the d.m. in the ration</td>
</tr>
<tr>
<td>Sunflower extraction meal</td>
<td>d.m.:</td>
<td>up to 8% of the d.m. in the ration</td>
</tr>
<tr>
<td>Sesame extraction meal</td>
<td>d.m.:</td>
<td>up to 3% of the d.m. in the ration</td>
</tr>
<tr>
<td>Coconut extraction meal</td>
<td>d.m.:</td>
<td>up to 5% of the d.m. in the ration</td>
</tr>
<tr>
<td>Corn germ meal</td>
<td>d.m.:</td>
<td>up to 5% of the d.m. in the ration</td>
</tr>
<tr>
<td>Peas and/or other leguminous seeds</td>
<td>d.m.:</td>
<td>up to 5% of the d.m. in the ration</td>
</tr>
<tr>
<td>Brewer's and/or torula yeast</td>
<td>d.m.:</td>
<td>up to 2% of the d.m. in the ration</td>
</tr>
<tr>
<td>Lipids with a melting point higher than 40 °C</td>
<td>d.m.:</td>
<td>up to 2% of the ration</td>
</tr>
</tbody>
</table>

- d.m. = dry matter
- In order to obtain a high quality subcutaneous fat layer, the maximum linoleic acid content allowed is 2% of the dry matter in the diet.
- Maximum tolerances of 10% are allowed.
- Whey and buttermilk, collectively, shall not exceed 15 litres/head/day (*).
- If combined with slops the total nitrogen content shall be lower than 2% (**).
- Dehydrated potato and cassava, collectively, shall not exceed 15% of the dry matter in the ration (***)
- The term “buttermilk” refers to the by-product of butter processing, whereas whey is the by-product of curdling.
REQUIREMENTS FOR BREEDING PIGS INTENDED FOR THE PRODUCTION OF PARMA HAM

Breeding phases:
- The breeding phases are defined as follows:
suckling: first four weeks with the sow;
weaning: from the 5th to the 12th week;
piglet fattening: from 30 to 80 kilograms of weight;
fattening: from 80 to 160 kilograms of weight and above.
- The breeding techniques are aimed at obtaining heavy pigs, which can be achieved through reasonable daily weight increases, as well as at producing carcasses that fall within the central classes of EEC classification (“U”, “R” and “O”).

In order to achieve this objective, feed must be distributed in rations, preferably in liquid form or as a mash, with the addition of whey according to tradition.
- Breeding facilities and equipment shall ensure animal welfare.
- Shelters shall be fitted out with proper insulation and ventilation systems to guarantee optimum temperatures, effective air circulation and removal of noxious gases.
- Floors shall be characterised by the lowest possible percentage of cracks and shall be constructed with water-resistant, thermal, and antiskid materials.
- Depending on the type of diet, all facilities and equipment shall be properly resistant to corrosion.

Except for any additional clarification provided in Section G below, the control system put in place to guarantee compliance with the special conditions for the production of raw materials and the obligations imposed on all the parties of the production chain protected by current standards and specifications, is governed by the provisions described in detail in the Control Plan set forth by the Ministry of Agricultural, Food and Forestry Policies:

- To be part of the protected production chain, breeders shall be authorised in advance and coded by the Certification Body.
- For this purpose, interested breeders shall file an application with the Certification Body that arranges their coding and provides the documentation established by these production Specifications.

- Each recognised breeder shall apply an indelible tattoo bearing its identification code on the hind legs of each piglet within the thirtieth day from the latter's birth.

- In the event a tattooed pig is transferred to another breeding farm, the latter shall have been previously coded by the Certification Body and shall apply a new indelible tattoo bearing its own identification code in any case prior to slaughtering. Coding and tattoo application procedures are established by the Certification Body. In the above case, to meet all the requirements associated to animal welfare, the second tattoo can be replaced by indicating the code of origin applied according to the procedures established in § C.8.4 on the documents accompanying the pig batches in each transaction or transfer and in the records and cross-checks carried out by the control structure. Product traceability is ensured also by the recording procedures adopted by the abattoir, subject to systematic validation and inspection by the Certification Body.

- Tattoo referred to in the previous point.
Stamping is carried out via the application of an indelible and permanent (even post-mortem) tattoo on the side of both the piglet's legs by a special compression tool, on an area located just above a horizontal line starting from the knee-cap and corresponding to the lower part of the biceps femoris.

The tattoo reproduces the breeder’s alphanumeric identification code, defined in a special directive issued by the Certification Body as well as an additional alphabetic letter that depends on the month in which the animal was born.

Tattoo application is the breeder's responsibility.

- Tattoo referred to in the previous point.
This tattoo reproduces the breeder’s alphanumeric code and is applied to both legs of all pigs accompanied by the certificate envisaged by these production Specifications. The tattoo shall be applied in such a way to be indelible and permanent, including post mortem, on the side of the pig’s leg, covering a maximum surface area of 45mm (height) times 85mm (width), and making sure it does not overlap with the first tattoo.

The breeder shall apply the tattoo preferably within the animal's eighth month of age.

- The breeder shall issue a certificate for all pigs intended for slaughtering, stating the animal’s conformity with the requirements specified in points C.6 and subsequent ones.

- Upon transferring the pigs to the abattoir, the breeder shall draw up, in triplicate, the certificate referred to in the previous point, stating conformity with production requirements, one copy of which shall be sent to the slaughterer and one to the Certification Body. The certificate consists of pre-numbered and coded forms provided by the Certification Body. The breeder shall sign the certificate after having entered the number of pigs, intended destination, shipping date and abbreviation of the genotypes used.

- The criteria and procedures for filling-in, handling, use and circulation of certificates are governed by the approved control plan.

- The abattoirs that are willing to supply fresh legs for the production of Parma Ham shall file an application with the Certification Body to get the necessary authorisation.

- Said application shall be accompanied by all the necessary documents certifying the possession of the health authorisation and compliance with the hygiene and safety requirements envisaged by the current legislation.

- The Certification Body shall assign an identification code to the abattoir and supply the firebrand referred to in the following point.

- The slaughterer shall apply the indelible firebrand on fresh legs that are intended for the production of Parma Ham. The firebrand shall be affixed on the rind in a clear and visible way in accordance with the directions given by the Certification Body.

- The slaughterer shall apply the indelible firebrand on the fresh legs of pigs delivered with the above specified certificate and after having ensured compliance with the requirements specified in Section B above.

- The firebrand bears the identification code of the abattoir where slaughtering has taken place.

- The slaughterer shall attach to each lot of fresh legs, fire-branded as specified in this point, a specimen or a copy of the certificate issued in accordance with the provisions set forth above.

- In the event that the original certificate issued by the breeder refers to pigs whose legs are intended for different plants or separate supplies, for each delivery of fresh legs bearing
the above fire-branded stamp the slaughterer shall send to the ham factory a copy of the same certificate together with any other document that may be required by the Certification Body. -

Any cutting plant that is part of the protected production chain shall attach to the documentation accompanying the fresh legs intended for the production of Parma Ham, a photocopy of all the documents envisaged by the administrative and health provisions in force on the transfer of pork sides or other cuts from one of the authorised abattoirs, and a copy of the certificate referred to above.

- Cutting plants are also subject to inspections.
- Only fresh legs from authorised abattoirs that bear the indelible firebrand and are accompanied by the required documentation can be used for the protected production of Parma Ham.

- Upon arrival of fresh legs intended for the production of Parma Ham at an authorised production plant, an inspector appointed by the Certification Body shall check the accompanying health documentation as well as the documents envisaged by the points above, and in particular:
  a) the breeding farms and abattoir, the cutting plant (if any) and the date of shipment to the curing plant;
  b) the number of fresh legs that bear the breeding farm tattoo and the abattoir firebrand;
  c) the absence of treatments other than refrigeration.

- In order for the seal to be affixed to the fresh legs, the producer shall file a relevant application with the Certification Body that, through its inspectors, shall monitor the proper execution of all operations.
- In any case, before salting, the producer shall affix the seal in such a way to be permanently visible.

- The seal shall record the month and year of the curing start date; this date shall correspond to the production date in accordance with the applicable legislation governing the health monitoring system for meat.

- The inspector of the Certification Body shall prohibit the affixing of the seal on:
  a) legs deemed unfit for protected production;
  b) legs that are not accompanied by the required documentation and/or do not bear the breeding farm tattoo and/or the abattoir firebrand;
  c) legs from pigs slaughtered less than 24 hours and more than 120 hours before.

- Should non-conformities be detected at a later date, the seal shall be removed by the inspectors of the Certification Body who will draw up a specific report.

- At the end of the operations referred to in the preceding point, a report specifying the following information shall be drawn up for each lot intended for protected production:
  a) details of the accompanying health certificate;
  b) salting date;
  c) number and overall weight of the fresh legs on which the seal has been affixed;
  d) number and overall weight of the fresh legs deemed unfit or subject of dispute;
  e) number and overall weight of the fresh legs on which no seal has been affixed and held back at the plant to be returned to the supplying abattoir or to be sent to another plant.

- The actual affixing of the seal shall be recorded in a special register separately for each lot.

- The report shall be drawn up in duplicate; one copy shall be kept by the curing plant and the other shall be sent to the Certification Body.

- The inspector of the Certification Body can identify the legs considered unfit and not subject of dispute, whenever deemed necessary, by applying specific marks written on the report.
During the actual curing stages, the inspectors of the Certification Body can carry out controls and inspections with the purpose of checking and testing the meat, making sure that registers and any other necessary documentation are properly kept, as well as monitoring that curing methods comply with current legislation and relevant regulations.

In cases of dispute or pending the outcome of inspections, the inspectors of the Certification Body shall identify the relevant product with specific marks.

The inspectors of the Certification Body shall attend the actual affixing of the Certification brand after having checked that the following requirements are complied with:

a) completion of the minimum required maturation period, after having checked the registers, documents and seals, and including the month in which the seal was affixed in said period.

b) conformity with processing procedures;

c) presence of the commercial characteristics established by these Specifications;

d) conformity with the analytical parameters.

Before affixing the certification brand, inspectors shall test with a needle a sufficient number of hams so as to effectively assess their quality; if necessary, inspectors shall test the product by cutting a maximum of 5 hams per thousand or a fraction of a thousand, which will then remain with the producer.

The organoleptic features are assessed as a whole since only very small deficiencies can be offset.

The certification brand is fire-branded on the ham rind on more than one point, if requested, in such a way as to remain visible up to the complete consumption of the product.

The Certification Body keeps the dies for the branding tools; the tools shall bear the producer identification number and shall be given to the inspectors by the Certification Body when hams are fire-branded.

Every time hams are fire-branded with the certification body, the inspectors of the Certification Body shall fill in a special report, which indicates:

a) the number of hams to be fire-branded with the certification brand;

b) the curing start date;

c) the details for product identification found in the relevant register;

d) the total number of hams on which the certification brand is applied and the date thereof;

e) the number of hams deemed unfit for protected production;

f) the number of hams which are subject of dispute.

The hams subject of dispute shall be kept aside by the Certification Body which entrusts them to the producer after having made sure that all necessary precautions and possible identification marks have been adopted to prevent them from being replaced or otherwise tampered with.

The producer shall be given a copy of the report, where it can have its remarks added, and it can require, within three days, a new technical examination with the involvement of the “Stazione Sperimentale per l’Industria delle Conserve Alimentari” (Experimental Station for the Food Preserving Industry) of Parma, with the power to appoint its expert.

Hams unfit for protected production shall be deprived of the seal; this annulment operation shall be carried out by the producer in the presence of the inspector of the Certification Body.

All operations of certification brand application and annulling of the seal shall be recorded in a special register.

The producer shall keep, for each single curing plant, a special register organised in monthly sheets; records shall be entered in the register monthly sheets corresponding to the month and year on the seal.
- The register shall specify:
  a) progressive order number and date of each record;
  b) the number of legs with indication of the seal application date and of the supplying abattoir;
  c) the number of legs with seal received from another curing plant;
  c) the number of legs with seal sent to another curing plant;
  e) the number of legs whose seal has been removed;
  f) the number of hams with certification brand with indication of the report progressive number and date of the relevant fire-branding operations;
- The register shall also record, in a special section, any decisions, remarks and measures taken by the inspectors of the Certification Body regarding mistakes or irregularities found during inspections.
Supervisory activities shall be carried out by a Certification Body duly authorised in accordance with EN 45011.
- As part of the general inspection activity aimed at monitoring strict compliance with all applicable regulatory requirements by parties of the protected production chain and, in particular, at ensuring respect of the production requirements, the Certification Body shall:
  - provide breeders with pre-addressed and pre-numbered certificates and ensure that they are used properly;
  - provide slaughterers with numbered indelible firebrands and ensure that they are used properly;
  - provide slaughterers with numbered indelible firebrands and ensure that they are used properly;
  - provide producers with metal seals and ensure that they are used properly;
  - affix the firebrand stamp on hams that comply with all necessary requirements;
  - carry out inspections at breeding farms and abattoirs to monitor compliance with production requirements;
  - carry out inspections during processing operations to ensure they comply with applicable regulations and traditional practices.

**SECTION C REFERENCE DOCUMENTS**

C.1: Definition of processing area
C.2: Definition of area of origin of raw materials
C.3: Excerpt of law No. 142 dated 19 February 1992
C.4: Exemplifying digest of relevant articles:
  - the use of whey and grains in the diet of "heavy pigs";
  - breeds that are fit and unfit for the production of "heavy pigs";
  - research studies on the characteristics of subcutaneous fat in "heavy pigs".
C.5: Bibliographic material on the production of Italian heavy pigs
C.6: Specimen of the breeder's certificate
C.7: Directive on the procedures for filling in and handling breeder's certificates
C.8: Specimens of application forms for breeding farms and abattoirs
C.9: Specimen of numbered abattoir firebrand ("PP")
C.10: Specimens of the seal
C.11: Specimen of the seal application report
C.12: Specimen of the certification brand (fire-branding) report
C.13: Partial copy of the producer's report
C.14: Imprint of the Ducal Crown trademark

Other reference documents:
EVIDENCE OF PRODUCT ORIGIN WITHIN THE GEOGRAPHICAL AREA.

INTRODUCTION

The Italian agri-food sector features products that stand out for the raw materials used, strong specificity of production processes and definition of their production area. Protected Designation of Origin products with their guaranteed origins and production techniques are subject to a series of controls that ensure specific quality characteristics. In addition to this, another fundamental element is the fact that products are the result of a combination of natural, environmental and human factors determined by deeply rooted relationships that have been established over the centuries between farming and product processing. This series of relationships has pervaded and evolved with the history of the people and places that have generated them. For this reason, a historical, cultural and legislative description of the birth and history of a food product is definitely the best and perhaps the only way to illustrate its distinctive characteristics.

The indication of the elements proving that the product originates in the geographical area referred to in the designation shall necessarily include all the elements dealt with about the area as established in Section C above. Specifically:

- Parma Ham certainly originates in the geographical area referred to in Section C above and its characteristics are essentially due to the geographical environment, including the relevant natural and human factors. Furthermore, as indicated in point C.2, its processing takes place exclusively inside the defined geographical area;
- at the same time, the raw material that is used in the preparation of Parma Ham originates in the defined geographical area indicated in Section C, where the production takes place, and its characteristics are essentially due to the environment, including the relevant natural and human factors.

HISTORY OF THE PO VALLEY PIG

The pig is an omnivore that is easy to feed and relatively easy to domesticate. Hence its transition from a wild pig to a domesticated one has taken place many times and in many different areas, starting from various pig breeds and sub-breeds. This is why each “cultural region” has its “own pig” and the Po Valley is no exception.

For centuries and in every cultural area or region, the pig had only been partially domesticated. Only in fairly recent times has the pig become a true “domestic pig”, meaning completely dependent on humans. Lately, this dependency has been emphasized through improved breeding techniques that have led to an animal called the “technological pig” or “industrial pig”.

While some studies, research and documentation suggest that the pig was domesticated in Europe, it was probably already domesticated when first imported from Asia, European autochthonous swine being domesticated afterwards (the existing wild boar, known as Sus scrofa ferus, is supposedly the descendant of these pigs). Nevertheless, through crossbreeding of the imported Sus vittatus and the autochthonous Sus Scrofa, the domestication process of the pig primarily took place in Mediterranean Europe. It is apparent that during the prehistoric
age, pig domestication mainly took place in Northern Italy (Alps, Pre-Alps, Po Valley) and this depended on the type of vegetation that was predominant at the time. The pig is a “wild” animal that mainly eats berries and fruit found in forests or woods, such as acorns. We can therefore assume that semi-domestication of the pig occurred in Northern Italy, primarily in the Po Valley area and especially within the Celtic civilization.

In all likelihood, during the slow passage between prehistory and history, the Po Valley was inhabited by several “types” of pig that differed in size and habits. All belonged to a single biological “species”, which meant reciprocal fecund crossbreeding was possible. The wild boar (Sus scrofa ferus) roamed freely in the vast woodlands and/or marshes of the plains and in the undergrowth of the hills and mountains. It ate woodland fruit, especially acorns, and was a hunting prey. Herds of relatively large semi-domesticated pigs that may also have bred with wild boars, lived in the woods surrounding human settlements. Humans would capture piglets for food. Smaller, tamer pigs lived near villages and homes, in close contact with humans, and were fed with leftovers.

Right from the beginning of human civilization, the pig has taken on two aspects: that of a wild animal, in contrast to grazing animals such as sheep, and that of an “urban” animal as well.

Information on pig breeding during the Etruscan period and in the Po Valley, also mentioned by Dancer (1984), may be found in the writings of Polibius (Storie, XII, 4) and that of M.T. Varrone (De Re Rustica, II, 4, 9).

Very interesting recent studies have been made of an Etruscan settlement from the 5th century B.C. found at Forcello (Bagnolo S. Vito, near Mantua) by Olivieri del Castillo (1990). Of all the bones unearthed, 60% came from pigs. Pigs were slaughtered at two or three years of age, which means that the Etruscans of the Po Valley bred swine on a permanent basis, specifically for pork. Studies show that they raised small-sized sows and boars (withers height: 65-75 centimetres at the time of slaughter). These animals were similar to the ones raised in another Etruscan city of the Po Valley, Spina, and comparable to the pre-Roman swine breeds, with a height and size that were much smaller than those of more ancient breeds.

This was basically the situation in the Po Valley at the onset of the Roman domination, when Polibius mentioned the magnitude of the oak forests and the abundance of pigs. Further confirmation comes from Strabone who said that the Emilia region supplied the entire country of Italy with pork and live pigs: “So many acorns are gathered in the oak forests of the Po Valley that most pigs slaughtered in Italy, used for domestic consumption and for feeding the Roman legions, come from that area” (Polibius, 2nd century B.C.).

From the writings of Columella, we know that there were “rational” permanent pig breeding farms during the Roman era. Sows and their piglets were raised in separate pens. Columella recommended installing a raised step before each pen to prevent the sows from escaping.

Proof of this has been found in the archaeological digs at the Settefinestre farm recently excavated in Tuscany and described by Carandini and Settis (1979). It must therefore be assumed that, at least in the most “modern” farms the Romans carried out a rational and intensive pig-breeding programme, in which breeding animals were selected. Animals were fed a specific diet that was supplemented with grazing, which can be assumed by the “step” that was installed to keep the sow in its pen or removed to allow its exit.

During the great farming and demographic crisis of the 3rd and 4th century A.D., uncultivated areas and woodlands expanded and consequently the wild and semi-wild raising of pigs prevailed over the raising of grazing animals (sheep, goats and cattle). An additional push in this direction came from the subsequent invasions of troops from Eastern and Northern Europe. The Longobard invasion (569 A.D.) was especially decisive and the invaders gradually introduced economic and dietary customs that differed from those of the Romans.
The typical habits of semi-nomadic civilizations, which exploited what nature offered spontaneously, spread through the Po Valley thus using the forest with its fruit and “by-products”, of which the pig was one of the most important (Baruzzi and Montanari, 1981). In the areas of the Po Valley that were invaded by the Longobards (Longobardia which became Lombardy), pig breeding increased and was also extended to woods, especially in oak forests.

The Longobard pig breeding culture was also prevalent in the Parma and Modena areas and the entire Veneto region.

During the Middle Ages, pig breeding was so important among forestry and pastern activities that forests were “measured” not in terms of area, but according to the pig population. For example, it was said “the Alfiano Forest can fatten 700 pigs”, and this data was considered very useful (Baruzzi and Montanari, 1981). According to Longobard laws, herds of at least thirty pigs were “headed” by a boar called “sonorpair” or by a sow called “ducaria” (Baruzzi and Montanari, 1981; Grand-Delatouche, 1968). Pig herds were tended by a swineherd, who was frequently called a serf and “bound” to the land, who took care of the pigs during “difficult” periods.

Temporary shelters, called “porcaritie” in Medieval documents, were set up in the forests when the weather worsened. During the winter the pigs were brought back home for brief periods of stabling, during which time fattened animals were slaughtered. A prime indication of the importance of the chief swineherd (magister porcarius) comes from the Rotari Edict of 653, which stated that if the chief swineherd was killed or injured, his owner would receive the highest possible sum in compensation, equal only to the amount paid for a master craftsman.

According to the abundant iconography recently collected and discussed by Baruzzi and Montanari (1981), medieval pigs in the Po Valley were slim and thin. They had long, slender legs and were dark red or blackish in colour. There were also animals with a lighter skin or animals with “bands” such as the “cinta senese” (Siena Belted species).

The migration from the forest to the pigsty occurred once farming recovered with the resulting demographic development. This began in the 10th and 11th centuries and continued at varying degrees in connection with the expansion of farmland and the prohibition of the use by the community of forests and woods, which were acquired by the ruling classes for wild game “Res Regalis”. Piero De Crescenzi, a 13th century agronomist from Bologna, wrote: “They must be fed acorns, chestnuts and similar items or beans, barley or wheat, because these products not only fatten them but give the meat a delicious flavour”.

When share-cropping was introduced (Roda, 1979-80), pig breeding began to decline but more importantly it changed. The farmer continued to keep a few pigs on the farm to which he dedicated most of his time because he no longer worked in the forests (Montanari, 1979 – Baruzzi and Montanari, 1981).

Nevertheless, according to a report on Parma written at the end of the 18th century by Du Tillot and recently brought to light and discussed by Dall’Olio (1983), at that time pig production was still closely tied to grazing and acorns; therefore, the outcome depended on the production of them, consequently there were good years and bad years according to the amount of acorns produced.

Pork consumption in Parma was relatively high at the end of the 18th century (4,500 pigs were slaughtered each year, and mainly consumed in monasteries and convents) and the setting up of two abattoirs for pigs similar to the Bologna Slaughter-house was recommend.

NOTES ON PORK CONSUMPTION IN THE PO VALLEY REGION

Precise information on pork consumption can be obtained through the study of prehistoric bone samples dug up in front of caves or early human settlements (terramare). Etruscans,
Gauls (documentation from Athenaeum exists on the latter) and especially the Romans from the Po Valley used pork extensively. According to Susini (1960), few Roman communities, like the one in Bologna, have left such a conspicuous number of references to craftsmen and professionals, among these that of “suarius”. Since Bologna was at the crossroads between the Emilia Road, the roads leading to the Apennines and the Po River estuary, a large merchant and craftsman class had already formed during the flourishing Bolognese Etruscan period. The same thing occurred in other towns along the Emilia Road – Parma, for example, where the road intersected with the Parma River and the Apennine roads that led to the Tyrrenian Sea. The latter would grow with the development of the Luni Port, from where food produced in the Parma area could easily arrive by sea to Rome.

Animals that were rarely less than a year were slaughtered: bones unearthed in archaeological sites show that the animals were usually between one and two years old and some were even three or four (Marcuzzi and Vannozzi, 1981; Barker, 1973; Tozzi, 1980). This extended rearing period was due to the genetic traits of the breeds that were wild, grew slowly and whose diet was certainly inadequate and lacking the necessary nutrients.

Most animals were slaughtered in November and December, and always in the winter (Marcuzzi and Vannozzi, 1981). According to the extensive iconography available, the slaughtering technique consisted of stunning the animal with a blow to the head, cutting its jugular vein or stabbing its heart. The blood was collected, then the bristles were removed with fire and boiling water. The animal was then divided into halves and then cuts. The cuts were either eaten immediately or preserved.

HISTORICAL NOTES ON HAMS FROM THE PO VALLEY

Salting was a fundamental way to preserve meat. Its origins go back to the dawn of mankind. It was certainly “discovered” several times over and in different parts of the world. Salting was used for several types of meat, but especially for seasonal meat, pork and fish in particular. “Nothing is more useful than salt and sun”, wrote Pliny the Elder in the 1st century B.C. and Isidoro Di Siviglia repeated these same words in the 7th century. The first important, even if “indirect” evidence of salted pork legs (prosciutto or proto-prosciutto) in the Po Valley comes from the previously mentioned archaeological studies of Olivieri del Castillo (1990) at Forcello (Bagnolo S. Vito near Mantua) on an Etruscan settlement from the 5th century B.C. Among the many pig bones found (nearly 30,000 were unearthed!), there were very few from the haunches. This fact cannot be accidental and leads us to believe that pork legs were used elsewhere, exported after being salted and then transformed into prosciutto or proto-prosciutto. Hams may even have been exported to Greece, where they were quite famous. We can assume the Ancient Greeks were familiar with prosciutto also from their use of words such as “kolia” and “perna” (Aristophanes, Plutus, Luciano: Lessifane XXIV, 6).

The Romans were well acquainted with ham, which they called “perna” (Varrone, De Lingua Latina). This word is also found on a tavern sign (Tacca, 1990). Q. Orazio Flacco (Satira II, verses 116-117) wrote about the use of the ham bone for medicinal purposes (Marcello Empirico – De medicamentibus Fisycis razionalibus). In his De Re Rustica, Columella (1st century A.D.) says: “All animals, especially the pig, must not drink anything on the day before slaughter so the meat will be drier... When you have slaughtered the pig,...carefully de-bone it; this will make the salted meat less prone to decompose and it will last longer....Use toasted salt,...and fill all parts in which the bones have been left, with lots of salt. After placing the slabs or pieces on planks, place heavy weights on top so the liquids can drain. Remove the weights on the third day and diligently rub the salted meat with your hands. When you have finished, sprinkle it with finely ground salt and store it this way; don’t forget to rub it with salt every day until it has matured.
If the weather is good while you are rubbing the meat, leave it under salt for nine days. But if the weather is cloudy, you must bring the salted meat to the tub after 11 or 12 days. Afterwards, shake off the salt and rinse carefully with fresh water so that no salt remains. After letting it dry a bit, hang it in the meat larder where, if it still contains some water, it can be smoked for a while until it dries completely. This type of salting can be done well during the winter solstice, but also during February as long as it is before the Ides”. Clearly, some advice is still valid: pay attention to the parts nearest to the bone, use very dry salt, squeeze the meat to extract the liquid, slaughter the pig during the winter (from 21 December to the first half of February), and so on.

Nevertheless, this refers to de-boned, salted meats that have been partially dried by heat and not smoked, not the “dry-cured ham” as we know it today, even though it is prepared with a similar technique.

To find information on the preservation of whole pork haunches through “prosciugamento” or drying (coming from the term “perxuctus” or “prosciugatissimo” – very dry in English), we must go back to the days of Cato the Censor who in his De Agricoltura (2nd century B.C.) wrote that the pork legs had to be placed in layers inside a dolium earthenware jar. Each layer had to be covered in salt and the layers must never touch. After 12 days, the salt had to be removed from the pieces of meat, washed carefully, set out to dry in the air for two days, coated with oil and vinegar and then hung on a stick near the fireplace. Also in this case the meat was not smoked but only dried by the warm air.

During the Middle Ages, which provide more precise information, it was customary to cut the pig in half, longitudinally, creating two “halves” that weighed relatively little (Messedaglia, 1943-44) and were preserved under salt.

When the pig was not preserved whole, its prime cuts – the haunch or ham and “gambuccio”, “scamarita” (part of the back near the haunch; Sella, 1937) and shoulder – were salted. Less valuable cuts were not salted because of the high price of salt.

The important role of salt in the preservation of meat, fish and cheese and as an essential element in a primarily vegetarian diet, due to its potassium content, always fuelled intense trading of this staple. As recent authors have described and discussed in great detail (Meyer, 1981), salt from the coastal saline zones (Venice, Comacchio, Cervia) was transported to the Eastern Po Valley primarily along the Po River and its tributaries. Due to the cost, not for transportation but for duties because it was considered an indispensable staple, the people tried to produce it themselves; using rock-salt mines and particularly the saline sources inland. The Po Valley, which was gradually formed by sedimentation, contains great amounts of fossil sea salt, deep within its layers of impermeable clay. For this reason, numerous salt-water ponds and springs can be found on the plains, in the hills and in the mountains (Marenghi, 1963).

The salt-water springs of the hills surrounding Parma near the towns of Salsomaggiore and Salsominore were famous (Baruzzi and Montanari, 1981; Bonatti, 1981). Saltworks sprang up in these places and probably date back to the Roman era (Bonatti, 1981; Drei, 1939). It is evident that a certain type of technology was needed to process meat and preserve it with salt. Right at the start of the 9th century, Charlemagne’s capitulary on management of Royal Enterprises prescribed that "Omino praevidendum est cum omni diligentia it quicquid manibus laboraverint aut facerint, id est lardum, siccamen, sulcia, niusaltus... omnia cum summo nitore sint facta vel parata".

The pig produced provisions that had to last an entire year. Besides the salted parts that were preserved at length, there were others that had to be used immediately (entrails and blood...) and some “mid-term” bits consisting of stuffed pork products such as salami, boiled pork sausage, stuffed pig’s trotter, *cappelli da prete*, *bondiole* and other types of typical pork sausages.
There was clearly an ancient pig-rearing tradition in the Po Valley that intensified with the Longobard domination. Several meat preservation techniques such as salting were developed in this vast area over the centuries, but since there was an almost endless series of "variations", it is impossible to determine a separate origin and historical motivation for each. One of these, for example, is typical of the Bologna area and dates back to the Roman era at least. Meats and fats were finely chopped to obtain a mixture to which salt and spices were added to preserve it. The mixture could be cooked (mortadella), or eaten raw (sausages and salami) or after boiling (pork sausage and stuffed pig’s trotter). Further west, in an area where iodized salt with bromide and small amounts of saltpeter rose to the surface (Marenghi, 1963), a preservation technology was developed in which a large number of mid-sized pork legs were salted and “dried” in a dry environment, as indicated by Cato the Censor.

With the advent of the agrarian revolution at the beginning of this millennium, deforestation and water control occurred in the Po Valley; farmed areas increased while uncultivated areas declined. Consequently, swine grazing became less important, but a new opportunity arose: whey, a by-product of cheese production, especially in the Grana Cheese areas (Parmigiano-Reggiano, Grana Padano) and other cheeses in the Veneto region. While the agrarian revolution led to the reduction and disappearance of most of the animals living in the wild, it did not affect the pig, which found itself advantaged as demonstrated in the works of Tanara (1965) and Landi (1969). The evolution of the Po Valley pig’s diet at the end of the 19th century was associated with a change to swine populations due to the introduction of British “white breeds” that were fairly large and especially suited for the production of lard. As a result, larger hams were produced.

Despite the changes in the diet and populations of reared pigs, several indispensable characteristics remained for the production of dry-cured ham (matured) from the Po Valley:
- “Slow” body growth, therefore the slaughtering of “mature” pigs and not those with “young” meat;
- “Heavy” animals with large, meaty legs and a thick subcutaneous layer of fat.

Salt has always been and still is used to preserve pork – especially prime cuts such as the leg and thus ham – in the Po Valley. While the preservation technology was basically the same, it could vary considerably depending on the zone and on several essential weather conditions, which eventually led to a distinction between pig breeding and ham curing.

CONCLUDING REMARKS ON HAMS FROM THE PO VALLEY

Pig breeding
Pig farming has always existed in the plains and hills of the Po Valley, initially because these areas were covered with oak forests that provided acorns used to fatten the omnivorous pig. The animals were later raised and fattened on products from the dairy farms (whey) and other vegetables such as corn. Thus, the area has always been known for its pig farms.

Ham maturation
The meat salting process can be done in any environment having the correct temperature and humidity characteristics. Pigs were normally slaughtered and their meat processed between December and February. The above mentioned ancient authors recommended different salting periods depending on the weather conditions. The following maturation process requires instead an environment that is not too humid. Owing to the need of a relatively low humidity environment, the maturation of ham developed in the hills surrounding the plains: in the hills surrounding Parma (which were also chosen because salt was available locally) and later on Modena to the South and the Veneto region to the North of the Po Valley. The maturation process is therefore an activity of the hillside and neighbouring areas, where the
climate is not too humid especially during the summer months after slaughtering. The maturation process must indeed preserve hams for at least one year following slaughtering. There was a saying that “to make a Po Valley ham, the pig must have passed two winters and the ham two summers”, which meant having a “mature” pig and a “matured ham”.

A direct line thus links the Po Valley ham from its origins (probably in the 5th century B.C. and documented in the 2nd century B.C.) to the present day with a precise distinction and definition of:

* pig breeding territories: low plains;
* maturation areas: foothills and hillsides;
* type of pig: “mature” and with sufficient subcutaneous fat;
* treatment with a limited amount of salt (“mild” hams) depending on the “age of the pig”
* absence of other “preservatives” especially smoke
* possibility of a long maturation process (leading to a natural, intense flavour) due to the “age of the pig”, a limited amount of salt and distinct features of the maturation environment.

The long history of Po Valley hams proves their common origins, strictly tied to the environmental and cultural unity of the Po Valley. Common aspects are the particular characteristics of pig breeding farms in the plains and the maturation process in the foothills and hillsides, the distinct quality of the pig, which has maintained its “maturity” despite changes to the population and diet, and the pig’s relatively heavy weight together with a certain layer of subcutaneous fat. All are indispensable elements for a “prolonged maturation process” and are even more important because less salt is used to give the ham its naturally intense flavour.

The indubitable “uniqueness” of the Po Valley ham has not prevented the emergence of “variations”, some of which are well-defined and with a certain history (Prosciutto di Parma, Prosciutto di San Daniele, Prosciutto di Modena and Prosciutto di Veneto).

These variations concern several aspects, for example the shape of the ham, but especially the extent and quality of its “natural flavour” derived from endogenous ageing processes, determined by:

* quality (maturity) of the pigs;
* maturation environment;
* production techniques.

PROSCIUTTO DI PARMA (PARMA HAM)

Several historical documents talk about the vocation of Parma for the production of deli-meats not only with reference to Parma Ham, but also other lengthily matured products, such as Culatello or Culattello.

In “Secchia Rapita” (The Stolen Pail) written by A. Tassoni and published in 1622, the “head chef” during the Council of the Gods was Master Presciutto (“translation” of the dialect Persutt or Parsutt). The origin of the word “prosciutto” (ham) is somewhat clear: it is “perxuctus” which means “very dried meat”.

Spalla or shoulder ham – which normally refers to the shoulder ham from the town of S. Secondo (Spalla di San Secondo), located in the plains of Parma near the River Po – is a fairly large pork cut corresponding to the shoulder that is salted and dried for a short period of time, then cooked before use. It was mentioned in local documents as early as 1100. According to Allodi and Drei, on the basis of their research in the documents of the Parma Archives, shoulder ham is also referred to using the Latin word “Spatulam”.

Culatello, which is traditionally produced in the south of the province of Parma, is made from part of the pork leg. It is preserved with a little salt and is then dried in the air. The existence of Culatello was first mentioned in 1322; in Bonaventura Angeli’s History of the City of Parma, published at the end of the 16th century, he wrote that during the magnificent wedding
which took place in 1322 between Andrea dei Conti Rossi and Giovanna del Conti Sanvitale, the newly-weds received “superb Culatellos” as a gift from their cousins, the Pallavicino Marquises from Busseto and the Rossi Counts from Zibello. These two deli-meats from Parma, especially Culatello or Culattello (from “culatta” or rump), produced in the plains and thus in a humid environment, deserve mention because they provide an insight into the relationship between the technologies of the plains (Culatello) and the hillsides and foothills (Prosciutto). Consequently, one may better understand the evolution of the production of Parma Ham and its close ties with the territory. It may be assumed that the experience gained over the centuries with the “curing” of shoulders and especially rumps led to the production of lightly salted, “mild” Parma Ham, when it was first produced with success in favourable environments with low humidity. As the Parmesan hills had this sort of environment, the encounter between the technology from the plains and the salt from Salsomaggiore was possible.

There are many historical documents that deal with Parma Ham from several points of view:

* Pig farming in Parma.

Besides general data that was the same throughout the Po Valley, pig breeding was a great tradition of Parma, as proven by the various sayings and proverbs in dialect. The following publications deal with pig breeding and relative techniques:

- Landi, O. "Commentario delle più notabili e mostruose cose d'Italia" (Commentary on the most notable and monstrous things in Italy) -Venice, Bariletto, 1569;
- Manuscript on Agriculture written in the 18th century by an anonymous author (1744);
- Spaggiari, P.L. "Insegnamenti di Agricoltura parmigiana del XVIII sec." (Lessons on Parma Agriculture in the 18th Century)
- Anonymous "Trattato sopra i Majali" (Treatise on Pigs) dedicated to His Excellency, Mederico-Luigi-Elia Moreau Saint-Mery;
- Jacini, S. "Relazione finale sui risultati dell'inchiesta agraria" (Final report on the agrarian survey results)- 1884;
- Rozzi, U. "L'allevamento suino in provincia di Parma" (Pig breeding in the Parma province)- 1932;
- Rozzi, U. "I suini" (Swine)- Parma, 1937;
- Cassella, P. e O. "Manuale per l'allevamento del maiale" (Manual of Pig Breeding)- 1880;
- Lemoigne, A. "Torniamo all'antico?" (Should we go back to old times?) - Parma, 1893;
- Strobel 1844.

* Parma Ham Production and Marketing.

There are several historical notes on Parma Ham, among which the following are worthy of note:

- 1309: Butchers’ Statute, ASP, Common Fund, Sec. 1, Series XXII b. 1959. (mention of prosciutto, referred to as “bassa”).
- 1386: Pacta ordinis et statuta dacy douane salis (1386) (ASP Common Fund, b. 1765) quot. A. Tacca - Perna et Parma, 1990) - (first mention of Prosciutto di Parma)
- around 1440: Dall'Olio, E. "Sagre, mercati e fiere di Parma e Provincia" (Festivals, markets and fairs in Parma and its province), 1979.
- 1503-1545: (Census) Consumi di sale pro-capite nella pianura e collina parmense (Per-capita salt consumption in the plains and hills of Parma) - from A. Tacca - Perna et Parma, 1990.
- 1500-1600-1700: Calmieri e "Gridari" diversi sui prezzi degli alimenti (Fixed prices and different “edicts” on the price of foodstuffs) – among which bone-in and boneless ham.
- 1700 (first half): Situazione delle Miniere del Sale nel parmense (Situation of Salt Mines in the Parma area) - Di Noto, S. (by) "Le Istituzioni dei Durati Parmensi nella Prima Metà del Settecento" (The institution of Durati Parmensi in the first half of the 18th century), 1980 (page 164 et seq.)
- 1700: Nevertheless, according to a report on Parma written at the end of the 18th century by Du Tillot and recently brought to light and discussed by Dall’Olio (1983), at that time pig production was still closely tied to grazing and acorns; therefore, the outcome depended on the production of them, consequently there were good years and bad years according to the amount of acorns produced. Pork consumption in Parma was relatively high at the end of the 18th century (4500 pigs were slaughtered each year, and mainly consumed in monasteries and convents) and the setting up of two abattoirs for pigs similar to the Bologna Slaughter-house was recommend.
- 1899: Micheli, G. "Le Corporazioni Parmensi d'arti e mestieri" (The Parma Guilds)- Battei, Parma, 1899
- 1860-1915: Prime Ditte che si occupano della produzione del Prosciutto di Parma (The first factories engaged in the production of Parma Ham – Reports and Bulletins from the Chamber of Commerce and Arts of the Province of Parma – Exhibition catalogues.
- 1937: Bianchi, M. "Le specialità della nostra industria salumiera" (Specialties of our deli-meat production) - 1937, p. 96.

* Morphological Characteristics

Information on morphological characteristics (size, shape, etc.) of Parma Ham in ancient days can be found in several still life paintings. One such still life showing a Parma Ham that perfectly corresponds to today’s version, was painted by N. Levoli in the 17th century (“Still life with ham”, oil on canvas, Parma, private collection - quot. A. Tacca - Perna et Parma, 1990).

According to available documentation, the production of Parma Ham was analogous to the production of other types of ham in the Po Valley. Pigs were bred in the plains and the maturation of hams took place in the foothills and hills.

Furthermore:
* pig breeding was an ancient Parmesan tradition linked to the Celt – Longobard civilizations in the Po Valley;
* after the 18th century, both public institutions and private citizens were involved in pig breeding;
* pigs were bred throughout the Parma plains and were fed on acorns from the oak forests (semi-wild breeding). Afterwards whey was used as feed, which implies a close tie between the pig breeding farm and cheese dairy that produced Parmigiano-Reggiano cheese;
* the salting of pork was an ancient tradition in the Parma area, which was already famous for its products in the 14th century, also because local “saltworks” provided the salt;
* Parma Ham production (like other Parmesan pork deli-meats) didn’t use smoke or preservatives except for salt and controlled humidity and temperatures;
* Parma Ham was already mentioned in the 14th century and many sources have confirmed its productive and commercial continuity;
* the morphological characteristics of Parma Ham in the past, especially its size, can be assumed from still life paintings by artists who lived and worked in Parma;
* the industrialization of the Parma Ham production process has passed through a craftsman phase which has maintained the product’s traditional characteristics.
EVOLUTION OF THE MATURATION PROCESS FOR PARMA HAM SINCE THE EARLY 20TH CENTURY.

At the beginning of the 20th century, Parma Ham gradually became a popular and commercial success. At that time, in fact, foundations were laid that favoured two events of fundamental importance for the sector’s development:

- the introduction of the cold storage room in the production process;
- the initial steps towards changing production methods by building the first plants equipped to handle the maturation of large amounts of hams.

Prior to the introduction of the cold storage room, the people who skilfully used the winter season for curing ham (fresh meat could not be preserved in the summer due to the high temperature) prepared enough hams to satisfy local needs and the early demands from the Parma market.

These ham “curers” based their work on empirical notions. There were disturbing unknown factors and unpredictable aspects in ham-making. Discovering and identifying the root of the problems that harmed the maturation process meant ensuring the product’s future; this is what the pioneers in the sector did as they attempted to achieve this goal using any means available. Guglielmo Bonati gives what is perhaps the only information on such episodes that took place at the beginning of the 20th century. In his memoirs, he describes the technology adopted at the time and the future prospects for the sector. Those were the days preceding the advent of the refrigerator, which was expected to revolutionize the ham “curing” process because it would allow fresh hams to be preserved even during the summer months. However, according to his memoirs, refrigerators “made the situation worse” because early experiments gave extremely disappointing results. The dream had been shattered.

That was a very difficult period in the history of Parma Ham: companies in the area went bankrupt and huge amounts of money were lost. Everyone was familiar with the salting process, but strategies for solving problems that occurred during the maturation phases were still unknown, and no school in the world could teach this subject. Years were needed before the origin of these problems could be determined and, after various attempts, it became apparent that the main factor was not the cold, but humidity. Therefore all curers strove to control the temperature to prevent humidity from forming.

The production tips in Bonati’s memoirs (52 years of experience) were certainly courageous and far-reaching and they soon became useful to people who believed in them. Two important factors emerged during the period between the two world wars: the technique for preparing ham was perfected thanks to the vast experience of the curers and company capital was consolidated that, together with other factors, consequently led to expansion in the sector.

Regarding the second fundamental event – changes in production – it should be borne in mind that ham maturation became a relatively important business in the twenties. Up until the Second World War however, the restricted market, caused by limited domestic consumption that was still not balanced by export flows, influenced the flexible production policy based on market needs. Early “curers” based predominantly in Langhirano and Collecchio were family-run businesses that primarily used seasonal workers. In the fifties, however, the spread of more favourable farming and animal breeding conditions combined with an increase in per capita income, that had greatly decreased and practically disappeared during World War II, helped change this static situation that distinguished the period between the two wars.

While the development of the Parmesan cheese-making industry gave a boost to the pig breeding industry, due to the new and more rational feeding based on whey and grain waste products, the higher per capita income – which started out at very low levels – triggered an increase in spending on consumer products, especially food, and a general increase in the standard of living of the population.
As a consequence, the market grew in size and breadth. Contacts with neighbouring provinces increased and, slowly through capillary expansion, the product became well known not only in Italy, but also abroad.

This larger market, however, became a problem for small family-run businesses. In the past, this business model was able to handle the demand of modest production volumes and the static absorption pattern without the need for a specific company organisation, whereas the production activities that in the meantime had reached considerably large volumes and geographically wider and more dynamic markets, could no longer keep its old structure, but had to adopt a new one.

In the light of this need, several operators used their private savings to expand their companies or to build new factories. This favoured a gradual increase in production volumes and the gradual abandonment of the family-run business model. While not all companies followed this path and preferred to maintain their original status, the change strongly affected the development of the entire sector.

Due to market development and increased consumption, the ham curing industry in towns located in the foothills (Langhirano, Collecchio, Felino and Sala Baganza) started to spread to the valleys of the province. Notably, thanks to the savings from the areas neighbouring with the mentioned towns, curers could receive loans or contributions of fresh pork legs to be processed. Therefore, the considerable economic and commercial prospects and the time-tested suitable environment turned the people who had profitably invested in the sector into entrepreneurs.

This was also one of the reasons behind the spreading of the ham maturation sector into new areas, namely the towns of Corniglio, Neviano and Palanzano (near Langhirano), Calestano (near Felino and Sala Baganza) and Varano, Pellegrino, Traversetolo and Montechiarugolo in the foothills.

In 1963 a group of 23 ham producing companies founded the Consorzio Volontario fra i Produttori del Prosciutto Tipico di Parma (Voluntary Consortium of Typical Parma Ham Producers).

The objectives of this entity were to defend, distinguish and guarantee the production and sale of the local ham, to protect the name of “Prosciutto di Parma” from trade name infringements, imitation, counterfeiting, and acts of unfair competition to the detriment of the authentic product, and to obtain legal recognition of the name “Prosciutto di Parma”, i.e. a law for the protection of the designation of origin.

This law was passed in 1970 and the rest is recent history.

CONCLUSIONS
On the basis of archaeological, historical and linguistic information; traditions, existing iconography as well as scientific data on biology, pig breeding and food processing technologies, especially on meat preservation through the process of salting, the following can be proved.

On a social and cultural level but especially on the basis of the production experience developed and cherished by tradition, the Po Valley region is a “unity”, also regarding its pig breeding farms and processing of prime cuts, such as the leg that is used to make ham.

The Po Valley region has originated a unique “model” for the domestication and breeding of pigs and the production of dry-cured hams. Over the years, this model has changed to create the varieties that have become Prosciutto di Parma, Prosciutto di San Daniele, Prosciutto di Modena and Prosciutto Veneto.

Concerning Prosciutto di Parma, it has been proven that ancient production techniques, which have survived throughout the centuries, have been applied and enhanced through personal experience inherited over the years. These techniques have evolved together with the complex
evolution of historical, economic and social circumstances and their continuity has never been broken. This demonstrates how the specific qualities of Parma Ham are inherently and closely connected and depend upon irreplaceable and unique natural, environmental and human factors. Further confirmation of these conclusions can be found in historical analysis and information contained in Section F that mentions and develops the issues, focusing in particular on the connections with the geographical area.

SECTION D REFERENCE DOCUMENTS

Bibliography of publications containing historical references to various aspects of Parma Ham, in particular pig breeding in the Po Valley and in Parma, production and marketing of Parma Ham.

Copy of the “Notice for reporting salted pork meats and wholesale trading of same” published by the Governor of Parma on 21 April 1764, which includes also bone-in ham (“prefciuto con l’offo”).

Copy of an abstract of the “Topographical Glossary of the Dukedoms of Parma, Piacenza and Guastalla” by Lorenzo Molossi, printed in 1832/34, which makes explicit reference to the breeding of “Swine” intended for the production of dry-cured hams.

Copy of various pages of the 1915 bulletin of the Parma Chamber of Commerce containing, in the section dedicated to dry-cured meats, “aged ham”.

Abstract of the Registrar of Companies of the Parma Chamber of Commerce, which testifies to the incorporation, in the 1920s and 1930s, of ham producing companies.

SECTION E

PRODUCTION METHOD OF PARMA HAM

Parma Ham production procedures are provided for under Italian Law No.26 dated 13 February 1990, Ministerial Decree No. 253 dated 15 February 1993 and, more recently, by EEC Regulation No. 1107 dated 12 June 1996. The procedures and requirements relating to the raw material, as set out in Sections B and C above are hereby confirmed. The production of Parma Ham includes the following 9 stages:

1. Separation
2. Cooling
3. Trimming
4. Salting
5. Resting
6. Washing - Drying
7. Pre-maturation - Trimming
8. Smearing
9. Sampling - Maturation
Separation
The pig shall be:
- healthy, rested and shall not have eaten for 15 hours.
Slaughter takes place if the above requirements are met; afterwards legs are separated from the sides.

Cooling
Hams shall be stored in special cold rooms for 24 hours:
- to bring the pork leg temperature down from 40°C to 0°C;
- to favour the trimming of meat that becomes harder at lower temperatures.
During the cooling stage, hams have a weight loss of about 1%.

Trimming
Through trimming, which means removing fat and rind, the ham is given its typical “chicken leg” round shape.
Trimming is carried out for two reasons, one being merely aesthetic, the other technical, namely that of favouring salting.
During these operations, hams with even the slightest imperfection are discarded.
After trimming, hams lose up to 24% of their weight in fat and muscle.
Apart from refrigeration, the pork legs that are used for the production of Parma Ham must not undergo any other preservation treatment, including freezing.

Salting
Refrigerated and trimmed pork legs are sent by abattoirs to salting plants; it is extremely important that salting is carried out on legs that have been kept at a correct and constant temperature; as it happens, an excessively cold leg absorbs little salt, while a leg that has not been sufficiently refrigerated may spoil. Salting involves the use of wet and dry salt. The rind is treated with wet salt, while lean parts are sprinkled with dry salt.
No chemicals, preservatives or other additives are used. Hams do not undergo smoking.
Hams are stored in cold rooms at a temperature ranging from 1°C to 4°C at about 80% humidity. After 6-7 days of storage in these cold rooms, which are known as first salting rooms, hams are taken out of the cold rooms, the residual salt is removed and pork legs are sprinkled again with tiny amounts of salt. Hams are stored back in another cold room, which is known as the second salting room, where they remain for 15/18 days depending on their weight.
During this period of time, hams slowly absorb salt and lose some of their moisture. At the end of the salting period, the weight loss is about 3.5-4%.

Resting
After removing all residual salt, hams are stored in so-called resting rooms for a period ranging from 60 to 90 days at about 75% humidity and at temperatures of 1-5°C. During this stage, hams are meant to “breathe” without getting too wet or too dry. The air in the rooms is changed at frequent intervals. The absorbed salt penetrates deeply and is evenly distributed in the muscle mass. During the resting phase, the weight loss is about 8-10%.

Washing - Drying
Hams are washed with lukewarm water, after which the rind is scraped to remove any residual salt or impurities. On dry and windy sunny days, hams are dried naturally, otherwise they are dried in special drying rooms.
Pre-maturation
Pre-maturation takes place in large rooms with opposing windows where hams hang on the traditional racks known as “scalere”. The windows are opened depending on the rations of internal/external humidity and internal humidity/product moisture. These ratios shall ensure a gradual and possibly constant drying.

After the pre-maturation phase, hams are beaten to give them their typical rounded shape. Sometimes, the hollow surrounding the best end is sprinkled with pepper to keep the contact area dry. During this stage the weight loss is about 8-10%.

Smearing
The hollow surrounding the best end, exposed muscular parts and any cracks are covered with a layer of smear, i.e. ground pork fat mixed with a bit of salt and ground pepper and, if necessary, rice flour. Smearing has the purpose of softening the surface muscular layers, preventing them from drying up too quickly compared to the inner layers, and allowing an additional loss of moisture. Smear is not considered an ingredient under the Italian Law.

Sampling and maturation
After smearing and upon reaching the 7th month of age, hams are moved to the “cellars”, which are cooler and less ventilated than pre-maturation rooms. Before being moved, hams are subject to sampling, which is a fundamental stage in the life of hams. During this phase a special needle, made of horse bone and having the unique feature of being able to rapidly absorb and release the product aroma, is inserted into various points of the muscular mass and then sniffed by experts who are gifted with special olfactory capabilities and are able to establish whether the curing process is going well.

During the maturation phase, important biochemical and enzymatic processes take place giving rise to the characteristic ham aroma and flavour. During maturation, hams lose about 5% of their weight.

When hams are 12 months of age and after various inspections carried out by the inspectors of the Certification Body, the “Ducal Crown” firebrand is affixed.

AUTHORISATION OF PRODUCERS AND SUITABILITY OF PROCESSING PLANTS
- Companies wishing to produce Parma Ham shall be authorised by the Certification Body following the filing of an application specifying:
  a) registration with the Chamber of Commerce, Industry, Artisan Crafts and Agriculture of Parma;
  b) company name and registered office;
  c) address of the processing plant, its production capacity and details of the health authorisation conforming with the current legislation.
- Upon authorisation, the Certification Body gives an identification number to the producer. This number is part of the certification brand referred to in Article 1 of Law No. 26/90.
- The applicant shall bear all costs arising in connection with the obligations envisaged under these Specifications and all expenses incurred for the required audits by the Certification Body or by the applicant.
- To be declared suitable for the production of Parma Ham, curing plants shall possess all the hygiene and health authorisations provided for by the legislation in force and shall be equipped with:
  a) a room for the receipt and initial treatment of pork legs;
b) cold rooms equipped with all the necessary machinery and installations to maintain humidity and temperature at the levels required by the legislation in force regarding the salting and resting stages;

c) other independent rooms required for maturation operations.

- Maturation rooms shall be furnished with windows that are large enough to ensure optimum ventilation and adequate change of air. These rooms can be supplied with equipment needed to maintain the right balance and environmental thermal and hygrometric characteristics.

SECTION E REFERENCE DOCUMENTS

Specimen of the application form requesting producer authorisation

Photographs of the processing stages of Parma Ham.

Other reference documents:
- Law No. 26/90 (Section A)
- Ministerial Decree No. 253/93 (Section A)

SECTION F

EVIDENCE OF TIES WITH THE GEOGRAPHICAL ENVIRONMENT

INTRODUCTION

The elements presented in Section D proving the origins of Parma Ham and related raw material in the geographical areas respectively defined, give ample evidence (through historical accounts) of the close and profound bond between agricultural production and product transformation within the area of origin. These bonds have been strengthened and confirmed by the development of social, economic and production factors, as well as by the human expertise that has built up and consolidated over the centuries. In the defined area where the raw materials (pigs and pork) originate, there are recurrent and distinguishing geographic and environmental factors, as well as farming experiences, which will be thoroughly explained in points F.2 and subsequent ones. Concerning the smaller processing area where all recognized ham factories are located, the unique combination of environmental, climatic, natural and human factors gives rise to a unique example.

EVOLUTION OF HEAVY PIG BREEDING IN CENTRAL AND NORTHERN ITALY.

From the many bone fragments unearthed in numerous excavation sites, it may be assumed that pig, cattle and sheep breeding first developed in Northern Italy during the Neolithic period. However, as proven by the equal proportion of bone fragments found, animals were initially bred to purely satisfy the needs of the family or village. Only in the Etruscan period a sort of stable and specialised animal breeding was carried out with the purpose of producing pork and beef, wool, milk and its derivatives. These products were used to meet local needs and exports.
The excavation sites at Forcello are a case in point. This Etruscan settlement (5th century B.C.) situated south of Mantua and on the right bank of the Mincio River, is not far from Andes, the town where the poet Virgil was born.

A large number of archaeological findings was unearthed here, including 50,000 animal bone fragments of which 60% from pigs. This clearly indicates the Etruscans’ preference for pig breeding, closely followed by sheep and cattle.

A study of the bones has shown that the pigs were slaughtered when they were between 2 and 3 years old, and the remains of hind legs were proportionally missing. Pig breeding has always been one of the most important sectors of farming in Italy.

According to the livestock census of 1908, in Italy there were 2,507,798 pigs, of which 322,099 were sows.

In 1926, according to Fotticchia, 2,750,000 pigs were bred in Italy: 1,400,000 in Northern Italy and 570,000 in Central Italy.

From the turn of the century up until World War I, there were three types of traditional breeding in Italy:
- family-run-farms, once the most prevalent type in the Po Valley, which raised a small number of animals that were well-tended and fed with kitchen scraps and vegetables. These animals were mainly slaughtered to feed the family, but some were sold to local butcher’s shops. This type of breeding gradually disappeared as specialised animal breeding farms developed;
- wild or semi-wild pig breeding was prevalent along the Apennine Mountains and foothills, in the Lombardy, Veneto and Friuli Prealps, where scrub and oak forests are plentiful;
- industrial breeding was already prevalent in Lombardy and Emilia in the last century because it was associated to dairies, owing to the exploitation of their by-products (i.e. whey and buttermilk), flour milling (flour, bran and fine bran) and rice hulling (rice husks).

Modern pig breeding as we know it today first appeared in Italy in 1872. That year, in fact, the Ministry of Agriculture, through the Experimental Institute for Zootechnics of Reggio Emilia, imported the first Yorkshire breeding pigs from the UK to some of the provinces of the Po Valley.

INDIGENOUS BREEDS

Italy was home to many indigenous breeds. However, with the introduction of Yorkshire pigs and repeated cross-breeding to obtain fatter, faster-growing pigs with less bone mass, these local breeds gradually lost importance and their identity.

The most widespread breeds bred in Central and Northern Italy, still present at the beginning of World War I were:
- Piedmont: There were two local breeds in Piedmont. One was the Cavour pig with a black coat, drooping ears and white mask, which was bred on the right banks of the Po River. The other was the Garlasco pig, which was bred on the left banks. It was a smaller breed with a reddish-gold hide and coat. Both breeds were sturdy, fast-growing and suited to grazing.
- Lombardy: The large Lombard breed with reddish-black coat and white spots was large, easy to fatten and it could reach up to 200-220 kilos of weight.
- Emilia: The Parmigiana breed was found throughout the areas of Parma and Piacenza and in part of the Reggio Emilia area. It has a dark grey coat with sparse black bristles. A very prolific, tall, sturdy breed, it grazed for most of the year. The Bolognese pig, which was larger than the Parmigiana breed, had short, sparse bristles and a deep purplish-red skin. It was found in a larger area (Bologna, Modena and part of the Reggio Emilia area, Manua and Veneto). Its meat, as Marchi mentioned in his book written
in 1914, “made Zamponi di Modena (stuffed pig trotters) mortadella, spalle, bondole di Bologna famous”.

- **Romagna**: The dark brown Mora Romagnola breed was found throughout the region. Stanga (Suicultura practica, 1992) referred to it as a sub-species of the Bolognese pig. The Romagnola pig was tall (80-90cm at the withers) and known for its cylindrical trunk, curved back and especially for its crest, “formed by strong thick bristles running down the spine” (Ballardini).

- **Veneto**: Besides the Lombard and Romagnola breeds, Veneto was also home to the Friulana breed. This rustic pig could be raised easily as a grazing animal or in a pen. Although its meat was very tasty, the animal was not a good breeder.

- **Tuscany**: Three breeds were raised on this land, which was home to holm-oak, oak, chestnut and Adriatic oak forests and ideal for pig grazing: the Siena Belted, the Cappuccia and Maremmana pigs. The most important was the Siena Belted: a long, tall pig with a cylindrical trunk, convex back and frequently retracted ventral line. Other features of this breed are a very long head, small ears facing forward and a slate grey coat with fine, bushy bristles. It has a white stripe that starts from the withers, runs down the shoulders, circles the trunk and even touches the front legs. The Siena Belted pig was prolific and fast-growing. Dondi accurately describes it, saying “The excellent meat is very tasty. Deli meats from Siena are famous, especially the sausages, mortadella and hams that are produced in great quantities by local plants that primarily use local animals raised in the hills of Siena”. Mascheroni (Zootecnica speciale, 1927) states: “This breed is raised and fattened in the forests during summer and winter. It only returns to the pigsty at night. It primarily feeds on acorns from oaks and holm-oaks, whose production varies, and its diet is supplemented with mash, chestnut flour, corn and bran”.

- **Umbria**: The Umbrian pig population, generically called Perugina, varied greatly between mountain areas and the plains. The “scrub” pigs that lived in the mountains had a dark coat covered with thick bristles, a long head and droopy ears. These rustic, strong pigs lived in herds in the forests. There were also Perugina pigs in the hills and plains that were very similar to the Cappuccia breed from Tuscany. These tall pigs had a medium-sized head and drooping ears, convex back, slanting rump and rather slim haunches and buttocks. They had a slate grey coat with sparse bristles and almost always white markings on their limbs. They were reared as semi-wild grazing animals in the woody areas of the hills and plains. If there were no grazing areas, they were bred for producing suckling pigs. Only a few animals were fattened for meat.

FROM AUTOCHTHONOUS BREEDS TO MODERN PIG FARMING

The replacement of local pig breeds with selected, more productive species – a process that had already begun at the end of the last century – took place very slowly and gradually, especially in the first few decades. This was not due to difficulties in acquiring and introducing new breeds in the primary sector, but because breeding techniques developed just as slowly and gradually. As long as wild and semi-wild grazing systems were, in many regions, the most common and less expensive way to fatten a pig, the animal sturdiness, resistance, suitability for grazing and, generally speaking, its ability to scavenge for food, were indispensable conditions and priorities.

During the period between the two World Wars and also after the great increase in dairy farms in the Po Valley, farms connected with dairies increased their demand for suckling pigs and porkers. Farms that bred pigs for fattening preferred large and sufficiently rustic animals
that would eat whey, bran and flour. The offspring of Yorkshire Large Whites, cross-bred with local species, were ideal. At the same time, since the wild and semi-wild pig grazing system used in Emilia Romagna, Tuscany and Umbria was in decline due to deforestation, there was an increase in sow breeding to produce piglets, which were sought after by pig-fattening farmers in the Po Valley. This subdivision of roles in pig farming by different regions favoured and accelerated the existing cross-breeding process of pig populations – especially the rustic, good-sized Romagnola, the Siena belted, the Perugina and the Cappuccia – with faster-growing and more selected Large White boars. Despite the growth in the number of industrial pig farms, the custom of fattening pigs up to a weight of 160-180 kg and more was prevalent and increased during this particular period. The reason lies in the fact that both pig breeding farmers and industrial pig farms decided to breed heavy pigs. Then as now, the industry needed heavy carcasses whose mature meat could provide cured and matured products, ham being at the foremost, with those superlative organoleptic qualities that have brought Italian deli-meat products worldwide fame. Dairies in the Emilia and lower Lombardy regions that mainly produced “Grana” cheese, started production in the spring after cows had given birth and calves had been weaned. Production terminated at the end of November, when cows were dried off. Pigs, bred for the consumption of whey and buttermilk were therefore bought in March and weighed about 35-45 kilos (store pigs). They were sold after the dairies closed during the winter, which was the best time for meat processing because refrigerators still did not exist. During the 9 to 10 months in the pigsty, pigs reached 160-180 kilograms in weight. Heavy pigs therefore satisfied the needs of the market and those of the dairies. As a matter of fact, a one-year cycle was a better way to absorb reproduction costs and to contain losses for illness and death, which were much more frequent during periods of acclimatisation. This system was criticised for the large amount of feed needed during the last fattening stage to have 1 kilo weight increase. However, one should bear in mind however that during this stage, more than one third of the diet’s nutritional value came from fresh whey, which was readily available. Large White boars and local sows were cross-bred for several years, also after World War II. Due to repeated cross-breeding to obtain animals that were more suited to the dairies, the autochthonous breeds decreased in number and were eventually replaced by a population with the same characteristics as the Large White breed. “Smoky” pigs (Large White x Romagnola) from the Cesena market and “grey” or “spotted” pigs from Tuscany (Large White x Siena Belted) were already present in a few Lombard dairy pigsties at the beginning of the fifties. During that same period, due to better information about diet and the development of the animal feed industry, specialized pig breeding farms that were not connected to dairies made their appearance. Owing to these new developments, the pig population in Italy, especially in the north, grew considerably. From an average population of 3,320,000 pigs in the five-year period from 1951 to 1955, the population grew to 4,800,000 in 1962. As dairy production increased, so did the number of dairies and pig fattening farms. Also contributing to the increase in the number of pigs were specialized pig breeding farms without grazing land that were not connected with dairies. These farms were run by entrepreneurs that came from other non-agricultural businesses and focused more on pig reproduction than on pig fattening.
There was an increase in farms registered with herd books. A serious selection programme of Large White and Landrace breeds was launched with the help of Genetic Control Centres set up by the Ministry of Agriculture (1960). The foundations were therefore laid for modern pig farming. The aim was always the production of heavy pigs that met the requirements demanded by a processing industry in continuous and rapid expansion.

Many important new technologies were introduced in pig breeding farms between 1960 and 1970, especially concerning reproduction. In just a few years, breeding farms went from having a small number of pens containing just a few pigs, a necessary measure to prevent dangerous diseases from spreading among the piglets, to rearing sows in completely automated industrial breeding farms. These new factors, which permitted the production of piglets in the intensive pig breeding systems of the Po Valley, changed the balance that had lasted for many decades between the northern regions, which were mainly dedicated to fattening pigs, and central zones, specialised in reproduction.

While pig farming in the north strengthened and grew, the Romagna area and the central Italian regions started reorganising the entire pig farming industry.

The pig population in Italy grew from 4,800,000 heads in 1962 to 9,014,000 in 1981, with an average growth rate of 4.4%.

In the following years, until 1987, the number of pigs continued to grow but at a slower rate compared to the previous decade. Due to the need for reorganization of the system mentioned earlier, this development was less evident in Central Italy.

In recent years, a number of environmental laws have been passed in several regions in the north that have made it more difficult to maintain current structures and find suitable areas for new farms. As a result, the basis has been laid for an increase in the number of pig breeding farms in homogeneous areas of Central Italy where heavy pig production is an ancient tradition as well.

**INTRODUCTION**

There is an additional element – modern, scientifically proven and regulated by EEC laws – that proves the tie between raw material and geographical area according to a series of specific and vocational requirements.

While it is true that zootechnic productive characterizations strictly depend on Designation of Origin product requirements to the point that they assume special, exclusive and distinct qualities with regard to the geographical area, likewise, recognition of this distinction – which defines the link discussed in this document – confirms this assumption.

The distinctive characteristic that links the territory, farming and the processing of the Parma Ham PDO product (*Prosciutto di Parma DOP*) can be indubitably summed up in the expression “heavy pig”, which is frequently mentioned in this section and previous Section D. The expression is also mentioned in the same national law protecting the product and, in form and substance, is always referred to in these Specifications, particularly with regard to the production requirements mentioned in Section C.

It is therefore absolutely pertinent to underline that the definition of heavy pig, has been formally recognized by the European Community through legislation on the commercial classification of pig carcasses.

EEC-Regulation No. 3220 dated 13 November 1984 is the latest update that has been introduced by the Commission on this subject.

Entered into force on 1 January 1989, this regulation introduced objective measuring methods for evaluating the percentage of lean meat in carcasses, subdividing them into five
commercial classes with the letters of the acronym EUROP and the possibility for each country to introduce a special class called “S”.

Regarding the application of this regulation, Italy was the only country where two pig populations were recognized:

a) "light pigs", slaughtered at weights in line with European averages

b) "heavy pigs", slaughtered at a weight of 150-160 kilos and whose meat is used for processing.

Consequently, on 21 December 1988, a Resolution of the Commission authorised the distinction between “light” carcasses (dead weight < 120 kilos) and “heavy” carcasses (dead weight > 120 kilos), with subsequent application of two clearly different formulas used for commercial evaluation.

Concerning national laws, notably the competent ministry drew up a plan to implement Article 3, paragraph 4, of the above-mentioned EEC Regulation No. 3220/84, to determine evaluation criteria for meat quality that can be associated with those for the quality of lean meat.

If the two separate Italian pig populations dealt with in EEC-Regulation are considered an acknowledgement of the existence of different requirements that are identical to the requisites in these Specifications, then the type of pig found within the defined area and tied to the area by specific historic, economic and social reasons is the “heavy pig”.

Therefore, recognition of the presence of two profoundly different populations within the same country constitutes a formal anticipation of the acknowledgement of the bond that ties both to their respective geographical and economic contexts.

In short, the explanation above means that:

- only the so-called “heavy pig” provides the raw material used for Parma Ham production;

- the EEC has acknowledged, through its Resolution of 21 December 1988, that only Italy is home to two different pig populations, one “light” that is in line with European averages, and one “heavy”, which conforms with the needs of the deli-meat industry that is traditionally and historically established and documented;

- said recognition has led to authorisation of the definition of two carcass categories with the consequent application of clearly different formulas in their commercial evaluation;

- laws regulating the two Italian pig populations acknowledge the existence of specific requisites that are the same as the ones set out by the provisions of these Specifications and that identify the “heavy pig” category that, as extensively documented, exists in the defined area owing to precise historic, social and production reasons;

- EEC recognition therefore constitutes a substantial acknowledgement of the tie with the geographical context of reference.

TYPICAL PRODUCTION AREA

As already mentioned in Section B, the typical production area of Parma Ham includes the territory in the province of Parma located South of the Emilia Road, at a distance thereof of not less than 5 kilometres, up to an maximum altitude of 900 metres, bordered by the River Enza to the East and by the Stirone stream to the West. This area is favoured by exceptional ecological, climatic and environmental conditions. This is the only place where the unique and essential breeze that “dries” Parma Ham blows, making it mild and unequalled. This breeze, which comes in from the sea on the Versilia coast, gently blows through the olive and pine trees of the Magra Valley. It then becomes drier as it rushes over the Apennine passes
(Cisa, Lagastrello, Cirone). It acquires the heady fragrance of chestnut trees before it blows to dry the hams in the Parma valleys. To take advantage of this breeze, the production plants are placed transversally to the airflow. The plant’s numerous, large windows allow the circulation of air, which decisively contributes to the enzymatic and biochemical processes that give rise to Parma Ham.

These biochemical transformations, which take place during the long maturation stage, follow a precise trend thanks to the ecological conditions in the Parma valleys, which are unmatched in any other place in Italy.

This is all the more evident when Parma Ham is compared with other products that undergo artificial treatments to give them the appearance, but nothing more, of a lengthy maturation. Owing to their high salt content and exposure to air conditioned rooms, because of the absence of the ideal natural conditions, these products dry quickly and take on an appearance similar to that of Parma Ham that undergoes a rational and natural maturation process, yet they lack the characteristic flavour, aroma and mildness.

The area “upstream” the typical Parma Ham production area is further characterised by the lack of production factories that may pollute the environment with liquid and/or gas emissions. This characteristic is protected by Law No. 26 dated 13 February 1990, which states: “To protect the conditions of the production environment upon which the organoleptic and commercial characteristics of Parma Ham depend, the introduction of first-level noxious industries – identified in Article 216 of the Consolidated Act of Sanitary Laws approved through Royal Decree No. 1265 dated 27 July 1934 – and any other business that might jeopardize the environmental balance of the area must be approved beforehand by the regional committee for air pollution responsible for that territory”. Adoption of such strict laws (for “first-level noxious industries”, the national law considers almost all manufacturing activities, even cattle farms) can only be justified by a deep-rooted awareness of the objective needs to protect and safeguard the environment.

Current national laws, which are an integral part of these Specifications in form and substance, are a consolidation and resulting codification of the course that human and productive factors have taken, in specific geographical and environmental contexts, in clearly identified and defined areas that produce the raw material intended for the preparation and processing of Parma Ham.

SECTION F REFERENCE DOCUMENTS

EEC Regulation No. 3220/84;  
Commission Resolution dated 21 December 1988  
Commission Resolution dated 20 November 1989  
Decree of the Ministry of Agriculture and Forestry dated 24 February 1989

Copy of articles containing notes on the tie between production and the defined geographical area.

Other reference documents:  
Bibliographic references already given in Section D, point D.6.;  
- Bibliography already attached to Section D.
SECTION G

INSPECTION STRUCTURE PROVIDED FOR BY ARTICLE 10 OF EEC REGULATION N°2081/92

Each stage of the production process is monitored by recording all the relevant inputs and outputs. In this way and through the inclusion in specific lists of breeders, slaughterers, meat cutters, producers, curer and ham cutters managed by the supervisory body, as well as through the timely reporting to the supervisory body of the amounts produced and in compliance with the obligations set in the above sections and in the control plan, full traceability of the product is guaranteed. All natural persons or companies included in the relevant lists are subject to the control of the supervisory body in compliance with the production Specifications and the relevant control plan.

SECTION H

SPECIFIC REQUIREMENTS CONCERNING APPEARANCE, IDENTIFICATION AND LABELLING OF PARMA HAM

INTRODUCTION

Current Italian laws and regulations set forth specific rules for the identification of Parma Ham in terms of production identification within the production chain (raw materials), final preparation and appearance when sold.

Current legislation provides for the use of tattoos, seals and brands to identify the protected products throughout the various processing stages, where the products need to be identified and certified from its raw material to the matured ham and beyond.

As mentioned in Section C, the following steps are provided for within the protected production chain:
- tattoo/s referred to in Section C affixed by the breeder;
- firebrand referred to in Section C affixed by the slaughterer;
- metal seal referred to in Section C affixed by the producer;
- “Ducal Crown” firebrand referred to in Section C affixed in the presence of the inspectors of the Certification Body.

The first specimen of the five-pointed “Ducal Crown” firebrand that includes the word “Parma” dates back to 1963 and has since been modified by subsequent measures, the last one of which – published in the “Gazzetta Ufficiale della Repubblica Italiana” (Official Journal of the Italian Republic) of 31 August 1991 – was Ministerial Decree dated 26 August 1991. The “Ducal Crown” firebrand is affixed at the end of the maturation period on hams that, after the necessary inspections have been carried out, meet all the product and quality requirements provided for by the Specifications. The “Ducal Crown” is meant to identify and authenticate Parma Ham, in that it both distinguishes the product from other dry-cured hams giving it authenticity and guaranteeing that it has passed through all the necessary production stages, which have all been identified by the parties concerned. Since 1 October 1991, the “Ducal Crown” certification brand has been accompanied by the producer identification code, granted by the Consorzio del Prosciutto di Parma upon the company's authorisation. Only the presence of the “Ducal Crown” certification mark together with the producer code gives the...
product its legitimate qualification as Parma Ham no matter what form the product is presented in i.e. bone-in, de-boned, sliced or pre-packed. In the “Ducal Crown” certification mark present on the packs of sliced and pre-packaged product, the producer's identification code located under the same trademark is replaced by a code identifying the company carrying out the slicing and packaging operations, which is different from that of the producer.

The Consorzio del Prosciutto di Parma holds custody of the dies of the tools required for the application of the certification brand, which shall be given to the Certification Body. These tools, owned by the Protection Consortium, shall be given to the Inspectors when affixing the certification brands onto the hams. While using these tools for fire-branding, Inspectors shall have full responsibility for their custody; management and use shall be subject to disciplinary and judicial measures, in cases of negligence, omission or improper use. In conclusion, the most important element that distinguishes Parma Ham – or better still the only formal discriminating factor – when presenting the product for sale is the “Ducal Crown” trademark. Only in the presence of this firebrand shall the use of the designation of origin be legitimate and legal: without the “Ducal Crown” a product shall not bear the designation on its label or packaging, on any sales documentation or during the sales operation (whole, sliced, pre-packed or retail sale in pieces). Moreover the “added value” that the “Ducal Crown” certification mark presents has been confirmed by the fact that there have been frequent cases in which fake “crown” certification brands have been affixed to common hams, thus breaching the legal requirements provided for by both special and general regulations.

Also the graphic reproduction of the “Ducal Crown” trademark is not freely available to anyone (not even when dealing with authentic products): this graphic design, whichever way it is used, is reserved for the Consorzio del Prosciutto di Parma, which is entitled to authorise third parties, from time to time and for individual and specific initiatives, to reproduce the graphic symbol of the certification brand, imposing the conditions, limitations and controls that it deems appropriate. Any unauthorised reproduction of the certification brand is liable to criminal or civil prosecution.

It has already been mentioned that the affixing of the Ducal Crown firebrand is chronologically the last element that identifies and qualifies the protected product; the certification brand can indeed be affixed only on hams bearing the “C.P.P.” metal seal affixed at the beginning of curing. This metal seal whose symbol was approved by Ministerial Decree dated 9 October 1978 (published in the Official Journal of the Italian Republic on 19 October 1978) bears the month and year when curing started and is applied by the producer on fresh pork legs that arrive at the curing plant and are intended for protected production. This seal is an essential item when calculating the minimum maturation period and, furthermore, it counts as the production date in compliance with the current national laws on the health monitoring system for meat.

The seal shall be affixed to the fresh pork legs that are supplied by approved abattoirs that have the numbered firebrand granted to each one for identification purposes, and that are accompanied by the relevant health and product documentation proving the pork legs material and quality characteristics, including compliance with the objective parameters specified in Section B; the seal shall not be affixed to fresh pork legs that do not comply with the above-mentioned requirements. Any misuse of the seal shall be prosecuted by law.

Seal: a ring with CPP embossed on the surface and the date of beginning of curing, indicating the month (the first three letters of the month name) and the year (the last two digits of the year in Arabic numbers).

The indelible firebrand affixed by the abattoir is made up of a standard base, bearing “PP” acronym, and an alphanumerical code (one letter and two digits) identifying the authorised
The abattoir affixes its firebrand on the fresh pork legs of pigs arriving from recognised breeding farms and accompanied by the relevant certificates of origin and of conformity with the production provisions applicable to the breeding stage and with the quality requirements that are applicable to fresh pork legs intended for protected production. The numbered abattoir firebrand, that identifies each slaughtering company, plays an important role not only from the point of view of full traceability of all hams during curing (and often also after maturation) but also in terms of control.

Firebrand: made up of the "PP" acronym and a mobile identification code for the abattoir consisting of one letter and two numbers to be placed under the acronym instead of the dots.

The requirements for labelling Parma Ham – whether whole bone-in, whole packaged, cut in pieces or sliced – do not exclude, of course, the general provisions set forth in particular by Legislative Decree No. 109 dated 27 June 1992 that in turn implements EEC Directives 89/395 and 89/396 governing labelling, guise and advertising of food products. These rules have been adopted in the production Specifications approved with EEC Regulation no. 1107 dated 12 June 1996.

The Specifications themselves require that the following mandatory indications be reported for each of the different ways Parma Ham is presented for sale:

a) for whole Parma Ham bone-in:
- “Parma Ham – protected designation of origin”;
- the address of the production plant;

b) for whole Parma Ham packaged or packaged in pieces:
- “Parma Ham – protected designation of origin”;
- the address of the packing plant;
- production date, if the seal (referred to in section H) is no longer visible;

c) sliced or pre-packed Parma Ham:
- all packets shall have a part that is common to all, located on the top left corner complying with all the characteristics and conditions established by the Directive Concerning Slicing and Packaging Operations and anyway indicating the “Ducal Crown” certification mark and the wording:

* Prosciutto di Parma denominazione di origine protetta ai sensi della Legge 13 febbraio 1990 n° 26 e del Regolamento (CEE) n. 1107 del 12.06.1996 (Parma Ham Protected Designation of Origin pursuant to Law No. 26 dated 13 February 1990 and EEC Regulation no. 1107 of 12.06.96);

* Packaged under the supervision of the Certification Body.
- location of the packaging plant;
- production date (beginning of curing, i.e. the date embossed on the seal referred to in Section H).

It is forbidden to use qualifying adjectives such as “classic”, “authentic”, “premium”, “super” as well as any other qualification, designation and attribute in addition to the sales designation, except for “boneless” and “sliced”.

It is forbidden to use, in lieu of or in addition to the protected designation, any other geographical denomination or qualification of the product even if relating to municipalities included in the typical production area referred to in Section C.

The prohibitions set forth in this Section H also apply, in so far as they are compatible, to advertising and promotion of the protected ham in whatever form.

It is forbidden to use the geographical denominations relating to the municipalities included in the typical production area including variations, distortions, derivations or abbreviations of the same in the style, corporate name or trademark unless the entrepreneur concerned is able
to demonstrate that said denomination was already in use – with reference to ham – before Law No. 506 dated 4 July 1970 came into force.

SECTION H REFERENCE DOCUMENTS

Record of registration of the "Ducal Crown" trademark of 1963
Record of registration of the "Ducal Crown" trademark of 1973 (amending the 1963 registration)
Ministerial Decree dated 9 October 1978 - Annex 4
Registration certificate of the "Ducal Crown" trademark of 1987 (essential for WIPO registration)
Ministerial Decree dated 26 August 1991
Ministerial Decree dated 9 October 1978 - Annex 3
Ministerial Decree dated 04 August 1986
Other reference documents:
- Law No. 26/90 dated 13 February 1990 (Section A);
- Ministerial Decree No. 253/93 dated 15 February 1993 (Section A);
- Bilateral Agreements (Section I)

SECTION I

MANDATORY REQUIREMENTS ARISING FROM NATIONAL AND/OR INTERNATIONAL PROVISIONS

Parma Ham PDO, already protected at a national level and based on a series of bilateral agreements and covenants, is currently protected pursuant to EEC Regulation No. 1107 dated 12 June 1996.
Parma Ham PDO is protected against any type of violation pursuant to the Community and national legislation in force and the Consorzio del Prosciutto di Parma vested by the Ministry of Agricultural, Food and Forestry Policies carries out activities of protection, promotion and monitoring of the market pursuant to articles 14 of Law 526/99.
DIRECTIVE CONCERNING
SLICING AND PACKAGING OPERATIONS
OF PARMA HAM

CHAPTER 1
GENERAL RULES

Article 1
Definitions

1. Pursuant to this Directive, the following expressions are used with the meaning specified herein below:

- "Specifications", the specifications for the production of Parma Ham;
- "Protection Law", Law no. 26 dated 13 February 1990 (Protection of the 'Parma Ham' designation of origin);
- “Implementing Regulation”, the regulation implementing the Protection Law, approved by Ministerial Decree no. 253 dated 15 February 1993;
- “IPQ”, the Certification Body called Istituto Parma Qualità;
- “Certification brand”, the Consorzio del Prosciutto di Parma identification and quality mark applied on the Parma Hams complying with art. 1 of the Law and whose symbol was finally approved by Ministerial Decree dated 23 August 1994, Annex 3;
- “Packaging operations”, all the operations relating to the slicing and packaging of Parma Ham, including operations for ascertaining the authenticity of bone-in hams, de-boning and boxing operations;
- “brick”, the de-boned ham that is duly shaped to be sliced.

Article 2
Legislative references

1. Packaging operations are governed by the Protection Law, the Implementing Regulation and this Directive, issued pursuant to art. 12, paragraph 1 of the same law.

2. This Directive, which is the "provision governing the packaging of Parma Ham", is approved by the Ministry of Agriculture, Food and Forestry Policies and is part of the specifications for the production of Parma Ham.

3. Possible changes may be introduced according to the same procedure; in the event mandatory rules are implemented, changes shall be introduced without formalities.
4. Also the legislation in force and relevant procedures that may be requested by importing foreign Countries are deemed to be mandatory.

CHAPTER 2

AUTHORISATION OF THE PACKAGING PLANT

Article 3

Location of the packaging plants

1. The slicing and packaging operations of Parma Ham are carried out in plants located in the typical area specified in art. 2, paragraph 1 of the Law, equipped in a specific way and accredited in advance by the IPQ.

Article 4

Authorisation application

1. Any company that is willing to slice and package Parma Ham shall submit the relevant application to the IPQ specifying:
   a) registration with the Chamber of Commerce, Industry, Artisan Crafts and Agriculture of Parma;
   b) company name, registered office of the company and particulars of the legal representatives;
   c) location of the packaging plant;
   d) details of the public health authorisation and description of premises and equipment;
   e) indicative production capacity and volumes;
   f) company name and registered office of the suppliers of packs, without prejudice to the provisions of art. 9 below;

2. Together with the above application, the company undertakes to notify the IPQ about any change in the data already provided, to comply with all the legal provisions and directives issued on the slicing and packaging of Parma Ham.

Article 5

Authorisation requirements

1. To be considered fit for packaging Parma Ham according to the phases and procedures specified in the Regulation and in this Directive, every plant shall possess the health authorisation proving compliance with the hygiene and structural requirements envisaged by Community legislation, in particular with Directive 77/99/EEC as amended.

2. To be fit, a plant must be equipped at least with:
   a) room for pre-cleaning and de-boning;
   b) refrigerated room for storing “bricks”;
   c) room for preparing, slicing and packaging the product;
   d) refrigerated room for the storage of packaged Parma Ham;
   e) room for boxing and shipping.
3. The plant shall be equipped with separate changing rooms for the staff in charge of slicing and shall be such to prevent staff from going directly from the slicing and pre-packaging room to that for storing the product ready for boxing.

4. Parma Ham shall be sliced separately from other products and after accurate cleaning of equipment.

5. Should the de-boning operations take place in rooms that are not part of the slicing plant or production site, these rooms shall comply with the hygiene and structural requirements envisaged by the Community legislation and be anyway located inside the typical production area as defined in Art. 2, paragraph 1 of the Law.

Article 6
Authorisation procedures

1. Once all the checks deemed necessary have been carried out, the IPQ provides for the authorisation of the plant and the assignment of a specific identification number.

2. The checks described in the previous paragraph are carried out by a specific Board of Experts made up of a member from the IPQ, one of the health officials in charge for the area and a specialist from the "Stazione Sperimentale per l'Industria delle Conserve Alimentari" (Experimental Station for the Food Preserving Industry) of Parma who decide jointly.

Article 7
Revocation of authorisation

1. Irrespective of the judicial remedies envisaged by the legislation in force, authorisation can be revoked by the IPQ in case of violation of the Specifications, breach of the implementation directives, as well as in case of revocation of the required health authorisation.

2. In specific circumstances, authorisation can be revoked as a precautionary measure whilst awaiting the decision of the judicial authorities.

Article 8
Register of packaging plants

1. The IPQ sets up and holds the Register of the plants deemed fit for packaging Parma Ham.

CHAPTER 3
PACK MANUFACTURERS

Article 9
Authorisation and revocation

1. The companies owning the authorised packaging plants shall notify to the IPQ the company name and registered office of the supplier of the packaging materials and/or packs when submitting the application set forth in art. 4 above or at a later stage, but anyway in due time.

2. With a specific formal measure, the IPQ acknowledges the manufacturers of packaging materials and/or packs authorising them to reproduce the Consorzio del Prosciutto di Parma certification mark on the same.

3. The manufacturers of packaging materials and/or packs undertake to comply with the provisions set forth by the IPQ and, in particular, to accept to undergo any type of inspection regarding the
manufacturing of packs intended for Parma Ham, including checks of the correspondence between packs in stock, original amount of packs and number of packs used.

4. Irrespective of the judicial remedies envisaged by the legislation in force, the authorisation to reproduce the Consorzio del Prosciutto di Parma certification brand can be revoked by the IPQ including without specific formalities in case of violations of the Specifications and/or breaches of the provisions in force.

CHAPTER 4
PARMA HAM PACK

Article 10
Pack technology

1. Parma Ham can be packed in a protective atmosphere or vacuum-packed or it can be packed using other systems that may be identified in the light of the progress of production technology.

2. The materials used to manufacture the pack shall have excellent technological performances and be fit to provide all the necessary guarantees for perfect product conservation and, in any case, they shall be conforming with the national and Community rules in force.

3. Packs can have varying sizes, shapes and weights.

4. The use of an interleaving is mandatory when the conditions specified in paragraphs 1, 2 and 3 of article 12 apply. Packaging without interleaving is instead admitted in case the conditions specified in paragraph 4 of article 12 apply.

Article 11
Approval of pack graphics

1. The graphic layout and wording written on the pack shall comply with the provisions envisaged by the Protection law, the Implementing regulation and this Directive as well as any other mandatory rules that may have become effective.

2. The packaging company shall send in advance the graphic layout and wording written on the packs to the IPQ, which formalises their approval or orders possible changes and/or additions stating the grounds thereof.

3. In any case, the approval of the pack graphics cannot be formalised before adopting the measure set forth in art. 9 paragraph 2.

4. The packaging company undertakes to send the IPQ a copy of the administrative papers relating to the order and collection of packs.
CHAPTER 5

PRODUCT CHARACTERISTICS

Article 12

Pre-sliced and packaged Parma Ham

1. For slicing and packaging Parma Ham, the hams to be used shall have a moisture percentage below 60% and the activity of water shall not exceed 0.91.

2. To identify the minimum slicing requirements, hams are subdivided into two weight classes for each of which the minimum maturation times and Date of Minimum Durability (DMD) are identified. This latter element varies depending on maturation period and packaging method (protective atmosphere with interleaving, protective atmosphere without interleaving or vacuum packaging).

3. The above conditions are given in the following table:

<table>
<thead>
<tr>
<th>Weight product</th>
<th>Maturation</th>
<th>DMD protective atmosphere with interleaving</th>
<th>DMD protective atmosphere without interleaving</th>
<th>DMD vacuum-packed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 9.5 kg</td>
<td>13 months</td>
<td>90 days</td>
<td>60 days</td>
<td>150 days</td>
</tr>
<tr>
<td>Up to 9.5 kg</td>
<td>15 months</td>
<td>120 days</td>
<td>90 days</td>
<td>150 days</td>
</tr>
<tr>
<td>More than 9.5 kg</td>
<td>16 months</td>
<td>90 days</td>
<td>60 days</td>
<td>150 days</td>
</tr>
<tr>
<td>More than 9.5 kg</td>
<td>18 months</td>
<td>120 days</td>
<td>90 days</td>
<td>150 days</td>
</tr>
</tbody>
</table>

Ham is packaged without interleaving, it shall be exclusively in a protective atmosphere.

4. For the storage and transportation of Parma Ham packaged in compliance with this Directive, the standards envisaged by national and Community legislation in force, especially with regard to storage temperatures and specific transport vehicle equipment shall be complied with.

CHAPTER 6

STANDARDS FOR PACK APPEARANCE AND LABELLING

Article 13

Pack graphics

1. The pack of Parma Ham, being of any shape, size and weight, shall have a common part - covering 25% of the pack top surface – consisting of a triangle placed on the top left corner of the pack, with black background, the certification brand and the legal wording: “Prosciutto di Parma” – denominazione di origine protetta ai sensi della legge 13 febbraio ‘90 n° 26 e del Reg. CE n. 1107/96 – confezionato sotto il controllo dell’Istituto Parma Qualità (“Parma Ham” – Protected Designation of Origin pursuant to Law no. 26 dated 13 February 1990 and EC Regulation no. 1107/96 – packaged under the supervision of Istituto Parma Qualità). The pack graphics corresponds to the one shown in the graphic design enclosed to this Directive, of which it is an integral part. The remaining parts fall within the company’s competence and are used at the discretion of the company concerned in compliance with the regulations on labelling on protected dry-cured ham.
2. In the Ducal Crown certification mark present on the packs of sliced and pre-packaged product, the producer’s identification code located under the same trademark is replaced by a code identifying the company carrying out the slicing and packaging operations, which is different from that of the producer.

3. In the event the pack of sliced and pre-packaged ham is presented for sale after folding the pack into two or more parts and the reference field of vision for consumers is only a portion of the overall pack, to arrange the graphics dealt with in this article, the reference surface shall not be the whole pack, but the portion thereof that is visible to consumers when the pack is presented for sale. These packs shall be folded and sealed with labels bearing the legal wording, which does not enable the packs to be opened without damaging them so that, once opened, they are no longer suitable to be placed on the market.

4. Should the Parma Ham pack be realised in compliance with all the provisions established in paragraph 5 below, the above mentioned common part of the pack consists of a triangle with a clear bottom placed on the top left corner of the pack and covering 18% of the surface of the top part of the same, whose vertex has a part with black background on which the Community PDO logo is located. The pack graphics corresponds to the one shown in the graphic design enclosed to this Directive, of which it is an integral part.

5. The conditions referred to in paragraph 3 are the following:

   a. the product is packaged in a protective atmosphere and without interleaving;
   b. the DMD does not exceed 25 days (starting from the packaging date);
   c. packs shall only have variable weight, with a minimum weight of 110 grams;
   d. the minimum maturation of the hams used shall be 16 months;
   e. both the front and the back of the pack shall be clear;
   f. departing from the provisions of paragraph 2, no other graphic mark, trademark or wording is present on the pack except for the content of the above mentioned triangle and the technical label (which can be located both on the front and on the back of the pack);
   g. the surface area of the technical label cannot exceed 13% of the pack front or back surface;
   h. the technical label shall necessarily bear the legal wording (including the inscription “Garantito dal Ministero delle politiche agricole alimentari e forestali ai sensi dell’art. 10 del reg. CE 510/06”, i.e. Guaranteed by the Ministry of Agriculture, Food and Forestry Policies pursuant to article 10 of EC regulation 510/06), the name of the company producing Parma Ham (“curing company”) that matured the product and sold it, or the name of the packer that sliced the product; all this without prejudice to the possibility of indicating the name of the holding, subsidiary or associated company next to the name of the packaging company separated by a hyphen or written in parenthesis. The minimum size of the characters used for the company's name shall be 2.6mm; the character font is of free choice. The company's name shall be located right under the designation "Parma Ham" as shown by the graphic design enclosed herewith;
   i. for the producing company, the company's name can be preceded solely by the wordings “produced by” or “produced and packaged by” (in Italian or other language); whereas the packer that is not a producing company shall necessarily have the company's name preceded by the wording “packaged by” (in Italian or other language);
   j. the obligation envisaged in points h. and i. can be complied with also indicating the company's name on the front of the pack, under the clear triangle, according to the procedures and provisions set for the classical pack, without prejudice to the different character size.

6. The graphic characteristics and the dimensions of the wordings and brands in the Consorzio del Prosciutto di Parma triangle as per paragraphs 1 and 3 are given in the graphic designs enclosed with this Directive, of which they are an integral part.
7. Should the irregular shape of the packs prevent an appropriate placement of the triangle on the top left corner (for both versions of the above paragraphs), the latter shall be adjusted to the pack shape as shown, by way of example, in the graphic designs enclosed with this Directive.

Article 14
Name of the producer-packer

1. The Parma Ham packs as per paragraph 1 of article 13 shall bear the name of the company producing Parma Ham ("curing company") that matured the product or sold it, or the name of the packer that sliced the product; such name shall be written in a linear way in the part next to the triangle and written on a clear-satin bottom, as shown in the graphic designs enclosed with this article, which are an integral part of this Directive.

2. The name of the company as per the previous paragraph shall have black characters with minimum size of 4.5mm; the character font is of free choice.

3. This obligation remains also if the name or the brand of the producing company that has matured or sold the product, or of the packer are present on the same pack in a different way.

4. In compliance with the provisions of paragraph 1 above, it is allowed to indicate only one of the names of the three above mentioned subjects (producer or producer that sold the product or packer) with the exception of additional references to other subjects, all this without prejudice to the possibility of indicating the name of the holding, subsidiary or associated company next to the name of the company concerned separated by a hyphen or written in parenthesis.

5. The name of the producing company written on the pack can be preceded solely by the wordings "produced by" or "produced and packaged by" (in Italian or other language), in the event the company has carried out such activities and has not limited itself solely to the product's sale;

6. Otherwise, the packer that is not a producing company shall always have the company's name preceded by the indication "packaged by" (in Italian or other language).

Article 15
Labelling

1. In any case, in addition to the indications given at point 1 letter a) of the previous article, the following information shall be written on the packs of Parma Ham:
   a) name or company's name or registered trademark of the producer, packer or seller;
   b) location of the packaging plant;
   c) production date (beginning of maturation indicated as month and year);
   d) date of minimum durability;
   e) storage procedure (at a temperature not exceeding 10° C);
   f) net weight;
   g) ingredients.
CHAPTER 7

CONTROLS

Article 16

Control operations

1. All packaging, as well as related operations are carried out without prejudice to the case dealt with in art. 17 paragraph 3 below – and limited to de-boning operations - subject to the permanent control of the IPQ, which also verifies the compliance of the product with the product characteristics defined in this Directive; this is performed also by taking samples and carrying out the technical tests deemed appropriate.

In the event samples are taken, the standards established by Law no. 283 dated 30 April 1962 and relevant Implementation Regulation approved with Presidential Decree No. 327 of 26 March 1980 shall apply.

Article 17

Control procedures

1. The inspectors of the IPQ, whilst supervising the packaging operations, shall:

   a) identify the batch/es intended for slicing obtaining the necessary information from the producer's register or, if the slicing plant is not part of a recognised production plant, from a transport document issued by the producer bearing the reference information concerned;

   b) ascertain the number and weight of the hams bearing the brand, of which the inspectors authorise the removal prior to slicing after having checked the compliance with the eligibility requirements set forth by the Law for affixing the certification brand;

   c) ascertain the number and weight of hams deemed unfit.

2. Should the preparation of ham bricks take place prior to the removal of the certification brands, the inspectors of the IPQ shall identify such bricks using own stamps to be applied onto the “pre-package”; in this case, these stamps shall be checked again when opening the pre-packages.

3. Alternatively to the procedures envisaged by the previous paragraphs of this article and subject to a specific prior agreement with the IPQ's offices, the following procedure is allowed:

   the inspectors of the IPQ shall:

   a) identify the batch/es intended for slicing on the producer's premises obtaining the necessary information from the producer's register;

   b) ascertain the number and weight of the hams intended for slicing after checking the compliance with the eligibility requirements set forth by the Law for affixing the certification brand, following the procedures set forth in art. 20 of Ministerial Decree no. 253 dated 15 February 1995;

   c) ascertain the number and weight of hams that do not comply with the eligibility requirements, and adopt the appropriate measures with reference thereto;

   d) affix their identification stamp next to one of the certification brands on the hams deemed eligible, drawing up a specific report of the operations performed.
4. Irrespective of the method followed in the previous phases, prior to slicing the inspectors of the IPQ check if the certification brand has been removed and/or is present on the bricks; if the certification brand has been removed, they check for the presence of the stamp affixed for the purpose of paragraph 3 above; if the certification brand has not been removed, the inspectors shall supervise its final removal; subsequently, the inspectors shall also check:

a) the number and overall weight of the hams from which the certification brand has been removed;

b) the execution of slicing and the overall net weight of ham sliced to be packaged;

c) the number of packs on which the certification brand has been affixed.

5. For the hams and packs subject to complaints, the procedures envisaged by art. 22 of the Implementing Regulation shall apply.

6. The operations carried out are recorded on the appropriate report drawn up by the inspector of the IPQ, of which a copy is given to the company concerned.

7. After completing the operations specified in points 1, 2 and 3 of this article, the bricks shall be sliced in the intended plant written on the report, irrespective of possible transfers of title to the products.

Article 19

Parties subject to supervision

1. All the parties involved in the chain consisting of production of packages, de-boning, preparation, slicing and packaging of Parma Ham are subject to supervisory activities by the Consorzio del Prosciutto di Parma.

2. The controls of compliance with the general hygiene and safety standards, as well as those set forth in this Directive are performed by the relevant local health authorities.

Article 19

Packer’s register

1. The accredited packaging plant shall keep an appropriate register where, for each operation, the following information shall be given:

a) progressive order number and recording date;

b) number identifying the outgoing product batch recorded on the producer’s register and, if the authorised plant is not part of an authorised production plant, the details of the relevant transport document;

c) number and overall weight of the hams bearing the certification brand;

d) number and overall weight of the hams from which the certification brand has been removed prior to packaging;

e) overall net weight of sliced ham;

f) number of packs produced and packaging date.
Article 20
Activity planning

1. The packaging company shall agree an operating plan concerning the packaging of Parma Ham with the IPQ with the purpose of planning a routine and systematic development of controls.

CHAPTER 8
RULES AND REGULATIONS GOVERNING BREACHES AND DISPUTES

Article 21

1. Should the fact not constitute a crime, the non compliance with the rules governing the packaging of Parma Ham, including the ones set forth in this Directive, constitutes a breach of the rule envisaged by art. 20 of the Protection law.

2. The documentation proving breaches that may lead to the revocation of the authorisations provided for in articles 7 and 9 above is forwarded to the relevant authority for acknowledgement and application of possible sanctions.

CHAPTER 9
TEMPORARY AND FINAL PROVISIONS

Article 22
Keeping and updating of register and documentation

1. The register set forth in art. 19 shall be provided, authenticated on each page, by the IPQ, upon request and at the expenses of the company concerned, and it shall be kept at least until 31 December of the third year following the one during which the last entry was made. All entries shall be made without erasures and blanks by and no later than the day following the one to which operations refer.

2. Every authorised plant shall have its own register.

3. Each specimen or copy of the reports, drawn up according to the provisions of the Regulation and this Directive, as well as any other compulsory document, shall be kept at least until 31 December of the third year following the one during which the report or document was drawn-up.

Article 23
Expenses

1. The expenses deriving from the control activities and related charges shall be in line with the fees set by art. 12, paragraph 3, of the Protection law according to the criteria and procedures defined by the IPQ and anyway proportionate to the cost of the services provided.

2. The failure to pay the fees dealt with in the previous paragraph causes the interruption in the provision of the services by the IPQ until the outstanding amounts are settled.
Law No 26 of 13th February 1990

Protection of denomination of origin “Prosciutto di Parma” (“Parma Ham”)

The Chamber of Deputies and the Senate of the Republic having approved;

THE PRESIDENT OF THE REPUBLIC
PROMULGATES

The following law:

Paragraph 1
DENOMINATION OF ORIGIN
AREA OF PRODUCTION
AND MARKETING CHARACTERISTICS

Art. 1
Denomination of the product

1. The denomination of origin, <<Parma Ham>> is acknowledged and used in compliance with community and national regulations concerning denomination of origin, geographical indications and declarations of specificity of agricultural and food products, and is exclusively reserved to hams equipped with a distinguishing mark that allows permanent identification, obtained by processing fresh legs of national pigs, bred and slaughtered in the areas stated in the regulation in execution of this law, produced according to the provisions laid down in this law and aged in the typical area of production for the minimum period in accordance with the following articles.

(thus modified from art. 60 sub, par. 1 of law n° 142 of 19 February 1992).

Art. 2
Area of production and aging

1. The typical area of production includes the territory in the province of Parma to the South of the Via Emilia at a distance of at least five kilometres from it, up to an altitude not exceeding 900 metres, bounded to the east by the course of the river Enza and to the west by the course of the stream Stirone.

2. The period of aging starts from the salting stage and shall not be inferior to ten months for hams weighing between seven and nine kilograms and twelve months for those weighing over nine kilograms. The weight is for hams with bone at the moment the mark, mentioned in the above article 1, is applied.

Art. 3
Marketing characteristics

1. The specific marketing characteristics of Parma ham at the end of the aging period are as follows:
a) rounded shape externally: deprived of the distal end (foot), devoid of external imperfections that may be detrimental to the image of the product, and with the uncovered muscle part above the head of the femur (round bone-end) limited to a maximum of 6 centimetres (short trimming);
b) weight: generally between eight and ten kilograms, but not less than seven;
c) colour when cut: uniformly pink to red with white parts of fat in between;
d) aroma and flavour: meat tasting delicate and sweet, not salty and with the characteristic fragrant aroma;
e) characterization through conformity to predetermined analytical parameters, whose standards have been approved with a decree issued by the Minister of Industry, Trade and Crafts following the proposal put forward by the competent body as specified in article 11.

PARAGRAPH II
PRODUCTION AND SALES

Art. 4

Provisions concerning production

1. The breeds, breeding and feed of pigs whose legs are to be used in the production of ham as indicated in the previous article 1, shall be in conformity with provisions issued by the competent body as indicated in article 11 below, once these have become applicable and approved by the Minister of Industry, Trade and Crafts jointly with the Minister of Agriculture and Forestry and with the Minister of Health.

2. Breeders shall issue a certificate for pigs sent to the slaughter-house declaring their conformity with provisions of sub-paragraph 1.

3. Pigs shall be slaughtered when in perfectly health and shall be perfectly bled.

Art. 5

Prohibition concerning preservation and typical aspects in the production stages

1. Legs of pork used for the production of Parma ham shall not be submitted to any form of preservation treatment (apart from being kept in refrigerators), including deepfreezing, and shall be equipped with the indelible mark placed by the slaughterer.

2. During the salting stage, a seal shall be placed on the fresh legs of pork stating the date of the start of the processing period.

3. The production stages shall be carried out, starting with the salting stage up to the end of the aging period, in the typical area as indicated above in article 2.

Art. 6

Mark for deboned product

1. After the mark has been applied, Parma ham can be sold deboned and in pieces of varying weight and shape, or it may be sliced and suitably packaged.

2. In cases provided for in sub-paragraph 1, if it is not possible to keep the mark on the product, the former shall be indelibly stamped so that it cannot be removed from the packaging, under the control of the competent body and according to methods determined in the statutory instruments. In these cases, packaging operations shall be carried out in the typical production area as indicated in article 2.

Art. 7

Guarantee rules

1. It is forbidden to market or sell ham that is unprotected but bears on the product, on the packaging, on the packet, on the wrapping, on the labels and so on, or on documents referring to the product, any indications that may give rise to that product being mistaken for Parma ham or that lays claim to characteristics that are typical of Parma ham.

2. It is in all cases forbidden for the unprotected ham:

a) to use the denomination <<Parma ham>> or any other type of denomination or indication containing or referring to the name <<Parma>> or to the name of any other municipality included in the typical area of production as defined in article 2 above;

b) to use terms such as <<Parma type>>, <<aged in Parma>>, even when referring to other municipalities in the typical area, or
c) to use in the indication of the site of the production plant or company, the names of municipalities of the typical area having letters that are larger than four millimetres in height and three millimetres in width, or to use in the indication of the province, the name <<Parma>> which shall be replaced by the initials <<PR>>;

d) to use graphics, stamps, seals and so on which, because of their position, colour, size and type of lettering, may deceive consumers and buyers with references to the protected product and to its qualities.

Art. 8  
- Prohibition concerning concurrent denominations

1. The use of geographic names referring to municipalities included in the typical area as indicated in article 2 above, or their variations, deformations, derivations or abbreviations is forbidden in the company, company name, style or mark unless the undertaking involved demonstrates the use - with reference to ham - of those names as being previous to the date on which law n° 506 of 4th July 1970, came into force.

2. The company, company name, style or mark as indicated above in sub-paragraph 1, in cases in which they are not forbidden and are used for unprotected ham, must be indicated with lettering having sizes not exceeding five millimetres in height and five millimetres in width.

Art. 9  
Prohibition of various or integrated names and ancillary regulations

1. It is forbidden to use, alternatively or in addition to the protected name, any other name or geographical qualification of the product in any way related to municipalities included in the typical area of production as indicated in article 2 above.

2. The reproduction of the mark as described in article 1 above, whichever way it is used, is reserved to the competent body as a distinctive sign of its activity in the course of any operation that aims at showing off to advantage the protected product.

3. The prohibitions indicated in this article and in articles 7 and 8 above are to be extended, in so far as they are compatible, to promotional advertisements or to any form of promotion of the ham.

4. Infringement of prohibitions indicated in this article and in articles 7 and 8 above also constitutes, save for the sanctions laid down in articles 13 and following, below, an act of dishonest competition according to articles 2598 and following, of the Civil Code.

CHAPTER III
SURVEILLANCE AND CONTROL

Art. 10  
Obligation of submission and control

1. Breeders, slaughterers and producers as well as all those who, under any title whatsoever, keep, transport, sell or in any way distribute hams for consumption are required to allow any form of control to be carried out aiming at ascertaining compliance with obligations imposed on them as laid down in this law and in the relative statutory instruments, including inspection necessary to verify suitability of the environments and the premises.

Art. 11  
Surveillance and control

1. Surveillance and controls relating to compliance with provisions stated in this law shall be carried out by the Ministry for Industry, Trade and Crafts, jointly with the Ministry for Agriculture and Forestry and with the ministry of Health.

The above Ministries may, when proceeding with the tasks entrusted them as per sub-paragraph 1, make use of the assistance of a specifically qualified body, made up of a voluntary consortium of producers that:

a) is governed by Statutes approved by decree issued by the Minister of Industry, Trade and Crafts, jointly with the Minister of Agriculture and Forestry and with the Minister of Health;
b) includes amongst its members not less than fifty per cent of producers representing at least fifty per cent of protected production over the last three-year period;

c) guarantees, through its constitution and organization and the financial means it can count on, an effective and impartial performance of institutional activities;

3. The association entrusted with the task indicated in sub-paragraph 1, is subject to surveillance from the Ministry of Industry, Trade and Crafts, jointly with the Ministry of Agriculture and Forestry and with the Ministry of Health.

Art. 12

Instruments and control tariffs

1. The voluntary consortium of producers as indicated in sub-paragraph 2 of article 11 above, if specifically qualified to do so, supplies slaughterers with the indelible mark and producers with the special registers to control the various operations as well as the seals whose application it controls, is present when the mark is placed and can adopt restriction and issue instructions concerning enforcement of this law, also as regards the adoption of planning guidelines for protected production in the typical area indicated in article 2.

2. Symbols relating to the stamp, seal and mark as indicated in sub-section 1, are arranged by the qualified consortium and approved with a decree issued by the Ministry of Industry, Trade and Crafts.

3. Tariffs for operations and tasks performed by the consortium qualified for enforcing this law and the relative statutory rule, are established by the consortium and communicated to the supervising Ministries.

4. Non compliance with payment of the above tariffs, according to terms set down by the qualified consortium, leads to stopping, until the accounts have been settled, the processing operations or tasks and execution of those related to tariffs that have not been paid.

5. Credits deriving from lack of payment of tariffs as indicated in this article, are taken to be privileged according to article 2758 of the Civil Code.

CHAPTER IV
SANCTIONS

Section 1
PENAL SANCTIONS

Art. 13

Penal regulations concerning typical features of the product

1. Whoever infringes articles 7, sub-paragraph 2, letters a), b) and d), 8, sub-paragraph 1, and 9, sub-paragraphs 2 and 4, shall be punished with imprisonment from one month to one year or with a fine ranging from two million to twenty million Lire.

2. The above sentence shall also apply to whoever keeps to sell, sells, or markets hams equipped with counterfeit or altered marks.

3. Without prejudice to the application of the penal sanctions indicated in sub-paragraphs 1 and 2, the Minister of Industry, Trade and Crafts may issue a decree requiring the closure, for a period not exceeding three months, of the points of sale.

Art. 14

Penal regulations relating to counterfeiting of mark

1. Whoever counterfeits or alters the mark or holds and uses a counterfeit or altered mark, shall be punished with imprisonment for a period ranging from three months to two years and with a fine from five to fifty million Lire.

2. The producer who commits any one of the acts laid down in sub-paragraph 1, without prejudice to the application of the penal sanction, may also be deprived, by the Minister of Industry, Trade and Crafts, of the right to mark, for a period ranging from six months to one year, the hams that complete the aging period in that period of time.

Art. 15

Penal regulations relating to counterfeiting of stamp and seal
1. Whoever counterfeits or alters the indelible stamp or seal or keeps or uses a counterfeit or altered stamp or seal shall be punished with imprisonment from one to six months and with a fine ranging from two to twenty million Lire.

2. The slaughterer and producer who have committed any one of the facts indicated in this article, without the prejudice to the application of penal sanctions, may be deprived with decree issued by the Minister of Industry, Trade and Crafts, respectively of the right to use the indelible stamp or the right to apply the seal for a period ranging from one to six months.

Art. 16

Increase in sanctions and publication of sentence

1. Punishment and sanctions as indicated in the above articles shall be doubled in cases of recurrence or when the offence has been committed with reference to hams that are destined to be exported.

2. The sentence for the offences mentioned in the above articles shall be published in two widely-read newspapers in Italy, one of which shall be a specialized one or one published for the particular category.

Section II

ADMINISTRATIVE SANCTIONS

Art. 17

Sanctions relating to regular production of animals

1. The breeder issuing the certificate mentioned in article 4 for pigs that have not been bred and fed according to provisions stated in article 4 and others stated in this law shall be punished by being forbidden to issue certificates for a period ranging from one to six months.

2. Whoever falsifies the certificate mentioned in article 4 shall be punished with a money penalty ranging from five hundred thousand Lire to two million Lire.

3. The slaughterer who places an indelible stamp on legs of pork that are not accompanied by prescribed certificates or anyone who uses the stamp incorrectly shall be punished by having the indelible stamp confiscated for a period of three to twelve months or with a money penalty of two hundred Lire to two million Lire.

Art. 18

Sanctions for controls and inspections

1. In case of hindrance or refusal to allow controls and in inspections as indicated in article 10 above, the following sanctions shall apply:

a) breeders shall be forbidden to issue certificates for a period of one to three months;

b) slaughterers shall have their indelible stamp confiscated for a period of one to three months;

c) producers shall have the seal-placing operations suspended for a period of one to three months;

d) traders or anyone not included in the above letters a), b), c) shall be fined from one hundred to one million Lire.

2. The producers shall be liable to the sanction indicated in letter c) of the previous sub-paragraph 1 if they do not keep in good order the registers supplied by the competent consortium as well as all the documents required to demonstrate that they are full in compliance with this law.

Art. 19

Sanctions relating to the seal

1. The producers who use the seal incorrectly, including by affixing it on legs of pork that do not have the indelible stamp, shall be punished with a money penalty from two hundred thousand to two million Lire or with suspension of the sealing operations for a period from one to three months.

2. The producers who place the seal on legs of pork that are not in compliance with this law, with the statutory instruments or with relative provisions issued by the competent consortium shall be punished with a money penalty of ten thousand Lire for each leg of pork.
3. The ascertainment of the existence of the infringement indicated in sub-paragraphs 1 and 2 shall - without prejudice to the obligation to pay tariffs as indicated in Article 12-lead to the removal of seals that have been applied incorrectly.

Art. 20
Sanctions relating to denomination on packaging and on labelling
1. Whoever infringes articles 7, sub-paragraph 2, letter c), 8, sub-paragraph 2, and 9, sub-paragraphs 1 and 3, of this law as well as provisions concerning packaging and labelling of Parma ham, shall be punished, if the fact does not otherwise constitute a misdemeanor, with a money penalty from one million to ten million Lire.

2. In cases where it is possible to eliminate the effects of administrative offence, the seizure of materials used for that offence may be ordered.

Art. 21
Regulations concerning proceedings
1. Application of administrative sanctions shall be preceded by notification of the specific charges. This notification shall be delivered to the transgressor by means of registered letter with advice of return confirming receipt, indicating a deadline of not over twenty days in which the transgressor may formulate his own counter-deductions.

2. These counter-deductions shall be sent to the investigator body by means of registered letter with advice of return confirming receipt.

3. Once the period for presenting the counter-deductions has expired, and if the abovementioned body ascertains the existence of the fact that has been disputed, notice shall be given thereof to the competent Provincial Office of Industry, Trade and Crafts for that territory so that the latter may proceed to issue the administrative sanctions.

4. Administrative sanctions shall be notified by means of registered post with advice of return confirming receipt and be come executory starting from the date of receipt.

5. The provisions that prescribe sanctions by reference to administrative offences may be appealed by the party concerned to the Minister of Industry, Trade and Crafts within thirty days of enforceability of the administrative sanctions.

CHAPTER V
PROVISIONAL AND FINAL REGULATIONS

Art. 22
Ruling for inclusion in the typical area for insanitary industries
1. In order to protect the environmental conditions required in the production area and affecting the organoleptic and marketing characteristics of Parma ham, as soon as this law be comes enforceable, inclusion in the typical area as defined in article 2, of first class insanitary industries - as identified in compliance with article 216 of the consolidation act for health laws approved with royal decree no. 1265 of 27th July 1934 - and of any other activity that negatively affects a well-balanced maintenance of environmental conditions, shall be subject to prior favourable ruling by the regional committee on environmental pollution, competent for the territory.

Art. 23
Regulations concerning execution
1. With a decree issued by the Minister of Industry, Trade and Crafts, jointly with the Minister of Agriculture and Forestry and with the Minister for Health, regulations for the execution of this law are issued, in particular:
   a) procedures for the control of breeding, slaughtering and processing of Parma ham;
   b) stages of production and processing procedures of Parma ham aiming at giving, maintaining and improving traditional quality characteristics of the product;
   c) determination and procedures for application of the indelible stamp, the seal and mark required to guarantee conformity with regulations stated in this law, including
the affixing of the mark on packaging in accordance with previous article 6;

d) procedures for keeping the registers and documentation required to prove the existence of requirements prescribed in this law for Parma ham;

e) regulations concerning labelling and the presentation of Parma ham;

f) procedures for a voluntary consortium to obtain the assignment stated in article 11 above and the power acknowledged to the appointees of that consortium;

g) the definition of the producer of Parma ham with a view to enforcing previous article 11, sub-paragraph 2;

h) procedures for adopting planning guidelines for protected production, as indicated in article 12, sub-paragraph 1;

i) procedures for approving the analytical parameters mentioned in article 3, sub-paragraph 1, letter e), and for the relative procedures for controlling, recording and certifying.

2. The decree indicated in sub-paragraph 1 shall be issued within four months of the publication of this law.

Art. 24
Repeal and taking effect

1. Law n° 506 of 4th July 1970 is repealed.

2. The provisions stated in the decree issued by the President of the Republic on 3rd January 1978, no 83, shall continue to be applied since they are compatible, until the statutory rule of this law comes into effect.


4. This law shall come into effect on the hundred and twentieth day following its publication of the Official Gazette, save provisions stated in article 23.

This law, bearing the seal of the State, shall be included in the Official Collection of the regulative acts of the Italian Republic. It is compulsory for anyone involved to comply with it and to see that it is complied with as a law of the State.

Given in Rome, this day 13th of February 1990.

COSSIGA

ANDREOTTI, President of the Council of Ministers

Approved, the Minister for Justice:

VASSALLI

NOTES:

WARNING
The text of the notes printed below has been drafted in complisoce with art. 10, sub-paragraph 3, of the consolidation act approved by decree of the President of the Republic, n° 1092 on 28th December 1985, with the aim of promoting the reading of the provisions of law whose adjournment has taken effect. The value and efficacy of the legislative acts transcribed herein remains unchanged.

Note to art. 8:
Law n° 506/1970, concerning: "Regulations on the protection of denomination of origin of Parma ham, the limits of the territory of production and the characteristics of the product>>, came into effect on 17th July 971.

Note to art. 9:
The text of art. 2598 of the Civil Code reads as follows:

"Art. 2598 (Acts of dishonest competition).—Without prejudice to the provisions concerning the protection of the distinctive signs and the patent or trade-mark rights, acts of dishonest competition are performed by whoever:

1) uses distinctive names or signs apt to produce confusion with distinctive names and signs used by others or servilely imitates the products of a competitor, or performs with any other means acts apt to create confusion with the products and activity of a competitor;

2) spreads news and evaluations on products and activities of a competitor apt to determine discredit to that competitor, or takes
possession of the merits of the products or of
the company of a competitor;
3) uses, directly or indirectly, any other means
not in conformity with the principles of
correct professional behaviour and apt to
damage other companies>>.

Note to art. 12:
The text of art. 2758 of the Civil Code reads
as follows:

<<Art. 2758 (Credits for indirect tributes).—
State credits for indirect taxes are privileged
over the personal property to which those
taxes apply and on other property indicated in
relative laws, with the effect established in
them.

This lien is also extended to compensation
credits versus the concessionary agent and the
buyer, contemplated in relative regulations
concerning value-added tax, on property that
has been the object of transfer or to which the
service is referred.

The lien, as far as the succession duties are
concerned, shall not have prejudicial effect
towards creditors who have exerted the right
of separation of property as regards that of the
deceased and that of the heir>>.

Note to art. 22:
Art. 216 of the consolidation act of health
laws, approved with R.D. n° 1265/1934, reads
as follows:

<<Art. 216.— Manufacturers or factories that
produce fumes, gas or other unhealthy
exhalations that may in any way be noxious to
the health of the inhabitants, are indicated in
a list divided into two classes.

The first class includes those that must be
isolated in the countryside and kept away
from the dwellings; the second those that
require special precautions for the safety of
the neighbourhood.

This list, drawn up by the Supreme Council
for Health, is approved by the Minister for
Internal Affairs, having heard the Minister for
Corporations (currently, by the Minister of
Health, having heard the Minister for
Industry, Trade and Crafts, editor's note), and
has the purpose of executive regulation for
those provisions.

The regulations established for drawing up
the list are kept to when registering any other
factory or manufacturer posteriorly found to
be unhealthy.

An industry or a manufacturer who has been
registered in the first class may be allowed in
the neighbourhood as often as the industrialist
operating it proves that, because of the
introduction of new methods or of special
precautions, its working does not cause any
damage to the health of the neighbourhood.

Whoever wishes to operate a factory or a
manufacturer included in the abovementioned
list, shall give a fifteen day prior written
notice thereof to the Mayor, who, should he
consider it necessary in the interests of public
health, may prohibit its operation or submit it
to certain precautions.

Transgressors shall be punished with a fine of
two hundred to two thousand Lire>>.

Sanctions for the fine indicated in the last
sub-paragraph of the above article have been
replaced with the pecuniary administrative
sanction of art. 1 of law N. 706 of 24th
December 1975, which stated that offence
would no longer be ruled and administrative
sanctions applied for the payment of a sum of
money, for all infringements for which only a
fine applied. Law 00 706/1975 was repealed
by art. 42 of law n° 689 of 24th November
1981 (Modifications to the penal system),
whose art. 32 confirmed the depenalization of
the offence, with the inclusion of offences to
which only a fine applied.

Minimum and maximum measures of the
above sanctions were subsequently multiplied
at first by two (D.L.L. n° 679 of 5th October
1945), then by eight (D.L.C.P.S. n° 1250 of
21st October 1947), then by forty absorbing
the previous increases (art. 3 law n 603 of
12th July), and finally by five (law n° 689 of
24th November 1981, first sub-paragraph, in
relation to art. 113, first sub-paragraph).
Current measurement of the sanction is thus
<<from forty thousand to four hundred
thousand Lire

Note to art. 24:
— For law n° 506/1970, see note to art. 8
above.
— The D.P.R. no 83/1978 is the statutory instrument for the law n° 506/1970.

— With M.D. of 3rd July 1978, published on the Official Gazette n° 219 of 7th August 1978, the Consortium of Parma Ham was entrusted with the task of surveillance on production and marketing of the ham, as well as placing the mark and trade-mark.


Having heard the opinion of the Council of State expressed in the general assembly of 23 July 1992;

Considering the communication of the President of the Council of Ministers, in compliance with art. 17, sub section 3, of the abovementioned law no. 400/1988;

ADOPT

the following regulations:

Art. I

Definitions

1. In this regulation:

a) <<law>> shall mean law no. 26 of 13 February 1990.

b) <<qualified association>> shall mean the voluntary consortium of producers found in the area defined as per art. 2, sub-section 1, of the law, which the Ministries of Industry, Commerce and Crafts, and of Agriculture and Forests, and of Health may call upon to carry out supervision and controls concerning application of the provisions laid down in the law and in this executive order;

c) <<protected production>> shall mean Parma ham bearing the mark as defined in art. 1 of the law; <<circuit of protected production>> shall mean the entire production system regulated by the law and by this executive order;

d) <<production prescriptions>> shall mean provisions issued by the qualified association in compliance with art. 4, sub-section 1, of the law; <<directives>> shall mean all applicable provisions issued by the qualified association and notified to the Ministries indicated in letter b) above;

e) <<producer of Parma ham>> shall mean, for the purposes of art. 23, sub-section 1, letter g) of the law, the producer who has set aside for protected origin production an amount of fresh pork legs expressed in kilogram's as equal at least to 75¾ (seventy-five per cent), annually, of the overall production of Parma ham produced on his premises found in the area as defined in art. 2, sub-section 1, of the law;

MINISTERIAL DECREES,
DELIBERATIONS AND ORDERS

DECREE No. 253, 15 February 1993

Executive order for law no. 26 of 13 February 1990, concerning protection of denomination of origin for <<Prosciutto di Parmas (Hamo)"

THE MINISTER OF INDUSTRY,
COMMERCE AND CRAFTS
IN AGREEMENT WITH
THE MINISTER OF AGRICULTURE AND FORESTS
AND
THE MINISTER OF HEALTH

Considering law no. 26 of 13 February 1990, concerning protection of denomination of origin for Parma ham, modified by art. 60 of law no. 142 of 19 February 1992, and, in particular, art. 23 which states that executive orders have been approved for that law by decree issued by the Minister of Industry, Commerce and Crafts, in agreement with the Minister of Agriculture and Forests and the minister of Health;

Considering art. 17, sub-section 3, of law no. 400 of 23 August 1988;
f) <<refrigeration>> shall mean that during storage and transport pork legs shall be conserved at an internal temperature ranging between — 1°C and +4°C;

g) eParma ham establishments>> shall mean the establishment works acknowledged in compliance with provisions laid down in art. 12.

Art. 2
Production provisions

1. Within thirty days of publication of this decree the qualified association shall submit to the Ministry of Industry, Commerce and Crafts a draft of the production prescriptions.

2. The proposed draft of production prescriptions shall be planned after hearing the commission as per art. 31, sub-section 7, and after consulting leading national professional agricultural associations.

Art. 3
Origin of pork legs

1. Fresh pork legs shall be obtained from pigs meeting requirements provided for in production prescriptions, and born, bred and slaughtered in one of the following regions: Emilia-Romagna, Veneto, Lombardy, Piedmont, Mouse, Umbria, Tuscany, the Marches, Abruzzo and Latium.

Art. 4
Obligations for breeders

1. In order to be included in the circuit of protected production, breeders first need to be acknowledged and classified by the qualified association.

2. So that this may be done, breeders wishing to be acknowledged and codified shall forward their application to the qualified association, who will proceed with codification and supply the documentation as per art. 5.

3. Once the breeder has been acknowledged, he shall apply to the hind legs of each pig, within the forty-fifth day of birth, an indelible stamp bearing his own identification code.

4. Should a pig bearing a stamp be transferred to another breeding farm, this farm must already have been codified by the qualified association and a new indelible stamp shall be applied to the pig bearing the new identification code, prior to slaughter.

5. The procedures for codification and application of the stamps as indicated in this article have been drawn up by the qualified association, in agreement with the opinion expressed by the commission as per art. 31, sub section 7.

Art. 5
Breeder’s certificates

1. When the pigs are about to be sent to the abattoir, the breeder shall draw up three copies of the certificates as indicated in sub-section 2 of art. 4 of the law, certifying that the production prescriptions have been observed, and hand one copy to the slaughterer and forward one copy to the qualified association.

2. The certification mentioned in sub-section 1 shall be drawn up on forms distributed by the qualified association which also pre-numbers and codifies them.

3. The official veterinarian who is competent for the territory shall make available to the qualified association on request all official documents deemed necessary in order to check that all operations are carried out regularly in compliance with the law and with this executive order, as well as for any verifications that may be required.

Art. 6
Inspections carried out at the breeding farms

1. In order to carry out its surveillance and inspection tasks, the qualified association may require the services of competent professional associations, identified after consulting the commission as per art. 31, and these associations shall appoint qualified personnel to supply such services.

2. In particular, inspection shall cover:
   a) observance of production prescriptions;
   b) regular application of the indelible stamp of art. 4.
Art. 7
Obligations of slaughterers

1. The abattoirs wishing to supply fresh pork legs to be used for the production of Parma ham shall apply to the qualified association to obtain the regular acknowledgement.

2. The application shall be accompanied by documents to certify that the abattoir is in possession of health authorization and in compliance with hygienic and health requirements as laid down by laws currently in force.

3. The qualified association shall assign an identification code to the abattoir and supply the latter with the stamp as per art. 8.

Art. 8
Slaughterer's stamp and inspections

1. The slaughterer shall apply the indelible stamp, fire-branded on the pigskin in a clearly-visible position according to the instructions given by the qualified association, to the fresh pork legs to be used for the production of Parma ham.

2. The stamp shall bear the identification code of the abattoir where slaughtering was carried out.

3. The slaughterer shall supply, together with each single lot of fresh pork legs on which he has placed the stamp as per subsection 1, a copy of the certification sued in compliance with the instructions of art. 5.

4. If the certification originally issued by the breeder is referred to pigs whose legs are to be sent to various establishments or form part of separate deliveries, the slaughterer is required to forward to the establishments of Parma ham, for each single delivery of fresh pork legs bearing the stamp as per sub-section 1, a copy of that certification as well as any other documents required by the qualified association.

5. The official veterinarian who is competent for the territory shall make available to the qualified association on request all official documents deemed necessary in order to check that all operations and obligations are carried out regularly in compliance with the law and with this executive order.

Art. 9
Cutting laboratories

1. Any cutting laboratories forming part of the protected production circuit are required to send, together with the documentation accompanying fresh pork legs to be used for the production of Parma Ham, a photocopy of the documents required by administrative and health regulations currently in force concerning transfer of the carcass meat or of other joints from any of the acknowledged abattoirs, as well as copy of the certification as per art. 5.

2. The cutting laboratories are also required to transmit the documents as per sub-section 4 of art. 8 and to observe obligations laid down by art. 10 of the law.

Art. 10
Costs

1. Any costs borne by breeders and slaughterers in applying the law and this executive order are governed by the tariff regulations as per art. 12 of the law and shall be commensurate with the cost of the services supplied.

Art. 11
Acknowledgement of the production company

1. Companies wishing to produce Parma ham will need to be acknowledged by the qualified association and, to this end, shall forward an application showing:

a) that they are registered at the Chamber of Commerce, Industry and Crafts in Parma;

b) the name and head office of the company;

c) the seat of the establishment as well as the relative output capacity and essential data on the health authorization in compliance with regulations currently in force.

2. Once acknowledgement has been approved, the qualified association shall assign an identification number to the producer; this number appears on the mark as per art. 1 of the law.

3. The applicant shall bear the costs for fulfilling all obligations required by this
Art. 12
Suitability of establishments
1. In order to be considered suitable for the production of Parma ham, the establishments need to possess the hygienic-health authorizations prescribed by regulations currently in force, and shall be equipped with:
   a) a room where the fresh pork legs are received and the first treatment applied;
   b) chambers equipped with and apparatus or suitable system to maintain humidity and temperature at the levels prescribed by regulations currently in force during the salting and resting stages;
   c) other independent rooms for the ageing operations.

Art. 13
Producer's Register
1. The producer shall keep, for each of the works involved, a special register, divided into monthly sheets; registrations shall be entered in the register in the sheet corresponding to the month and year shown on the seal.
2. The register shall record:
   a) the progressive order number and date of each registration;
   b) the number of legs and the date on which the seal was placed and the abattoir of origin;
   c) the number of legs with seals coming from another establishment;
   d) the number of legs with seals sent to another establishment;
   e) the number of legs from which the seal has been removed;
   f) the number of hams equipped with mark, indicating the progressive number of the record and the date on which the relative operations were carried out;
3. Furthermore, any decisions, observations and measures of the representatives of the qualified association shall be recorded in the register regarding any errors or irregularities noted.

Art. 14
Verifications at the establishments
1. A representative of the qualified association shall verify the accompanying health documentation as well as the documentation mentioned in art. 8, subsection 4, for each operation whereby fresh pork legs to be used for the production of Parma ham are introduced into an acknowledged works, and shall check:
   a) the breeding farms and abattoir of origin, any dissecting laboratory involved and the date of despatch to the establishments;
   b) the number of fresh pork legs equipped with stamps as per articles 4 and 8;
   c) the absence of treatment apart from refrigeration.

Art. 15
Seal
1. In order to be allowed to place the seal on fresh pork legs, the producer shall apply to the qualified association, whose representatives shall check that all operations have been carried out correctly.
2. The seal shall be applied by the producer prior to salting so that it remains permanently visible.
3. The seal shall show the month and year in which processing was started; this date shall be considered equivalent to the production date in accordance with laws currently in force concerning health controls of meat.
4. The representative of the qualified association shall forbid application of the seal:
   a) on legs that are not considered suitable for protected production;
   b) on legs not accompanied by the prescribed documentation or not bearing the stamps as per articles 4 and 8;
   c) on legs coming from pigs that have been slaughtered less than 24 hours previously or over 120 hours previously.
5. If any prejudicial circumstances are verified subsequently, the seal that has already been applied shall be removed by the representatives of the qualified association, who shall draw up a special record thereon.

6. The producer may ask to have included in the record any reasons for dissent regarding the measures taken by the representatives of the qualified association, and request within three days a new technical investigation, to be carried out by the experimental station for food processing industries in Parma, who shall have the right to appoint their own consultant.

Art. 16
Recording the operations

1. At the end of the operations as per articles 14 and 15, a special record shall be drawn up for each lot sent to protected production, indicating the following:
   a) essential data on the accompanying health document;
   b) date of salting;
   c) number and overall weight of fresh legs bearing the seal;
   d) number and overall weight of legs not considered suitable or subject of dispute;
   e) number and overall weight of legs on which the seal has not been applied and which are kept at the establishment, to be sent back to the original abattoir or to be sent to another establishment.

2. The operation whereby the seal is applied shall be recorded separately for each lot in the special register.

3. The record is drawn up in two copies, one of which is kept at the establishment and one the other is kept by the qualified association.

4. The producer may request to have included in the record any reasons for dissent regarding measures taken by the representatives of the qualified association and request within three days a new technical investigation, to be carried out by the experimental station for food processing industries in Parma, who shall have the right to appoint their own consultant.

5. If, following the new investigation, the legs subject of dispute should appear to be suitable for protected production, the date of the relative operation shall be the one on which the dispute occurred; the legs subject of the dispute shall be stored with all necessary precautions to prevent any tampering, after the representative of the qualified association has identified them and entrusted them to the producer at the establishment.

6. The representative of the qualified association may proceed with identification of the legs not considered suitable and that are not subject of dispute, whenever he considers it necessary, by applying specific marks indicated in the record.

Art. 17
Processing stages

1. The processing of Parma ham, from slaughtering to the application of the mark, shall go through the following stages:
   isolation; cooling; trimming; salting; resting; washing;
   drying; ageing.

2. The use of salt (sodium chloride) and pepper is allowed, while any chemical treatment is forbidden.

3. During ageing, <sugnatura> is carried out, even repeatedly, whereby the meaty portion of the leg is superficially covered by a mixture of pork fat, salt, pepper and cereal by-products; this mixture is not considered an ingredient with a view to labelling.

4. Once the processing has been completed, no substance may be added nor may any previous treatment be repeated apart from the <sugnatura and washing>.

5. During ageing, the legs are placed in special chambers equipped with windows allowing suitable ventilation and exchange of air. These rooms may be equipped with a suitable apparatus to keep the correct balance and required thermal and hygrometric characteristics in the environment.
Art. 18
Transfer of the legs

1. Barring the first six months of processing, it is possible to transfer the legs equipped with seal to other establishments that are qualified for the production of Parma ham.

2. The party concerned shall first present a written request to the qualified association, who will establish the procedure to be observed and carry out the required controls, and may oppose the transfer with a written motivated order.

3. The transfer is allowed, notwithstanding sub-section 1, if there are justified reasons of <<force majeure>> that would be detrimental to the processing of the hams or cause them to be lost or damaged; in this case, the procedures as per sub-section 2 shall be applied.

4. Any transfer operation, for whatever reason it is carried out, shall be recorded in the register.

Art. 19
Verifications and inspections

1. During the processing stages, the representatives of the qualified association may carry out verifications and inspections to check and control the meat or to check that the registers and other documentations are kept regularly, or to check that the processing procedures correspond to those prescribed by the law and by this executive order.

2. In case of dispute, or in case of verifications whose results are not obtained immediately, the representatives of the qualified association shall proceed with a special identification of the product.

3. The official veterinarian in charge of health controls shall make available to the qualified association on request, all official documents deemed necessary in order check that all operations and obligations are carried out regularly in compliance with the law and with this executive order.

Art. 20
Applying the countermark

1. The representatives of the qualified association shall be present when the mark is applied, after first having checked that the following requirements have been met with:

   a) expiry of the prescribed minimum period of ageing, after examining the registers, the documentation and the seal, and taking into account in this period the month in which the seal was applied;

   b) compliance with the processing procedures;

   c) existence of marketing characteristics prescribed by the law;

   d) respect of observance of analytical parameters of art. 3 of the law.

2. The representatives shall preliminarily proceed with randomly selecting a sufficient number of hams to formulate a convincing quality judgment; if necessary, they may carry out inspection of the product by opening up the hams up to a maximum of 5 per thousand or fraction of a thousand, which shall then be to the producer’s charge.

3. The organoleptic characteristics shall be assessed all together, and a compensation may be made only for very slight deficiencies.

4. The mark shall be placed, even in several points, on the pigskin of the ham so that it will remain clearly visible until the products has been consumed completely.

5. The qualified association shall keep the matrix of the instruments to apply the mark; the instruments shall each bear the identification number of the producer as per art. 11, sub-section 2, and shall be entrusted by the qualified association to its representatives when the marks are to be applied to the hams.

6. The instruments for the application of the counter-mark may also bear special identification marks approved by the qualified association in accordance with the control procedures.
Art. 21

Analytical parameters

1. The qualified association shall present the Ministry of Industry, Commerce and Crafts, within ninety days of the publication date of this executive order, with the posed analytical parameter, of art. 3 of the law.

2. The proposal as per sub-section 1 shall be accompanied by a suitable technical report concerning the definition of the analytical parameters and the relative minimum and maximum thresholds.

Art. 22

Recording the placing of the countermark

1. The representative of the qualified association shall draw up, for each operation whereby the mark is placed, a suitable record indicating:

a) the number of hams presented for application of the mark;

b) the date of the start of processing;

c) references for identification of the product, recorded in the special register;

d) the overall number of hams on which the mark has been applied and the date of the relative operations;

e) the number of hams found to be suitable for protected production;

f) the number of hams that are subject of dispute.

2. The hams subject of dispute shall be stored, with all necessary precautions and after application of any identification marks to avoid their replacement of tampering with, after the qualified association has entrusted them to the producer.

3. The producer, who shall receive a copy of the record, may request that his observations be written therein and request within three days a new technical examination to be carried out by the experimental station for food processing industries in Parma, who shall have the right to appoint their own consultant.

4. The hams that are not found to be suitable for protected production shall have their seal removed; this operation shall be carried out by the producer in the presence of the qualified association.

5. The operations concerning the placing of the mark or its removal shall be recorded in the special register.

Art. 23

Annulment of the mark

1. The representatives of the qualified association shall remove the mark if, during an inspection, they find that it has been placed on hams that are not suitable or not in compliance.

2. A special record shall be drawn up concerning the operations carried out, showing the identification data of the hams from which the mark has been removed.

3. The producer may request to have included in the record any reasons for dissent regarding measures taken by the presentatives of the qualified association and request a new technical investigation within three days, to be carried out by the experimental station for food processing industries in Parma, who shall have the right to appoint their own consultant.

Art. 24

Cutting into pieces

1. The operations whereby "<Parma ham>" is cut into pieces shall be carried out in such a way as to have the countermark, previously applied by the establishments, appearing on each piece.

Art. 25

Slicing

1. The operations whereby "<Parma ham>" is sliced and packaged shall be carried out at the laboratories found in the typical area, as per art. 2, sub-section 1, of the law, specifically equipped and previously acknowledged by the qualified association.

2. The parties concerned shall present their applications to the qualified association, showing:

a) their registration at the Chamber of Industry, Commerce and Crafts in Parma;
b) the number and weight of the hams bearing the mark, which the representatives allow to be removed for slicing;

c) the number and overall weight of hams that are not considered suitable.

2. The representatives of the qualified association shall check the removal of the mark and verify:

a) the number and overall weight of the hams from which the mark has been removed;

b) that slicing has been completed and the overall weight of the sliced ham for packaging;

c) the number of packages on which the mark is to be applied.

3. The procedures as per art. 22 shall be observed for the hams and packages that are the subject of dispute.

4. The operations that have been carried out shall be recorded on a special record drawn up by the representative of the qualified association, a copy of which shall be given to the company concerned.

Art. 27

Qualification of suppliers of packaging

1. Packaging companies that have been acknowledged in accordance with art. 25 shall at the same time notify the qualified association of the application of art. 25 and subsequently, in good time, of their corporate name and the seat of the supplier of the packagings.

2. The supplier of the packagings is qualified to supply the latter in accordance with the provisions laid down by the qualified association.

b) the corporate name and seat of the company;

c) the registered office of the packaging laboratory;

d) essential data concerning the health authorization.

3. Once the required verifications have been carried out, the qualified association shall recognise the laboratory and assign to it a specific identification number.

4. If the laboratory is found within an acknowledged establishment, the identification number may coincide with the one assigned in accordance with art. 11, sub section 2.

Art. 26

Countermark for sliced ham

1. The representatives of the qualified association shall be present at the slicing and packaging operations of Parma ham and verify:

a) the references required in order to identify the hams that are being packaged, taken from the register or, if the packaging laboratory is not included within an acknowledged establishment, from a transport document issued by the producer, on which the required references shall appear;

Art. 28

Packer's register

1. The acknowledged packaging laboratory shall keep a special register in which the following shall be separately recorded, for each single operation:

a) its progressive order number and registration date;

b) the number of the unloading operation as appearing on the register as per art. 13 or, in the case of an acknowledged laboratory not included within an acknowledged establishment, the essential data concerning the transport document received;

b) the number of packets produced and the date of packaging.
Art. 29

Labelling

1. The following indications must appear on the labels of Parma ham, according to procedures provided for in legislative decree no. 109 of 27 January 1992:

a) for a whole Parma ham with bone:

1) <<Parma ham>> followed by <<protected denomination of Origin>>;

2) the name or corporate name or trademark and seat of the producer or seller;

3) the Registered Office of the establishment;

b) for packaged Parma ham, whole, boned or presented in pieces or sliced:

1) <<Parma ham>> followed by <<protected denomination of origin>>;

2) the name or corporate name or trademark of the producer or packer or seller;

3) the seat of the packaging laboratories;

4) the date of production in case the seal is no longer visible for the purposes indicated in art. 15, sub-section 3;

5) the net amount;

6) the minimum preservation period;

7) the methods of preservation;

8) the lot identification data.

2. It is forbidden to use qualifiers such as <<classical>>, <<genuine>>, <<extra>>, <<super>> and other such qualifying adjectives, mentions and attributes coupled with the sales denomination, with the exception of <<boned>> and <<sliced>>, as well as any other indications that are not specifically provided for in this article, subject to requirements for adaptation to other provisions laid down by law.

3. The prohibitions as per sub-section 2 shall be extended also to publicity and promotion, under any form, of the protected ham.

4. If Parma ham is used as an ingredient for another food product, only the term <<prosciutto>> (<<ham>>) shall be mentioned.

Art. 30

Planning project

1. The qualified association can adopt provisions and issue orders relating to the adoption of planning projects for protected production.

2. The projects sub-section 1 and any subsequent modifications shall be adopted by the qualified association and approved by the Ministry of Industry, Commerce and Crafts in agreement with the Ministry of Agriculture and Forests and the Ministry of Health.

3. The projects shall include a report indicating the technical, production and economic reasons as well as the criteria adopted for their formulation and the procedures to determine any production quotas for each acknowledged establishment, together with the control systems and their development.

4. If the planning projects are applied, the quota of product with denomination of origin art. 1, letter e) may be changed according to homogeneous criteria expressed by the qualified association in the report as per sub section 3.

Art. 31

Consortia entrusted with inspections

1. When a voluntary consortium of producers is called upon to act as a qualified association in accordance with the law and with this decree, the Ministry of Industry, Commerce and Crafts shall appoint the President of the Board of Auditors.

2. The task of inspection shall be entrusted by decree issued by the Ministry of Industry, Commerce and Crafts in agreement with the Ministry of Health and with the Ministry of Agriculture and Forests.

3. The by-laws of the consortium shall be approved by the Ministry of Industry, Commerce and Crafts, in agreement with the Ministries of Agriculture and Forests and of Health. The by-laws shall include the following bodies:

assembly, president, vice president, board of directors, executive committee and board of auditors. Any changes to the by-laws shall
first be approved following the same procedure.

4. The Board of Directors shall include a member appointed by the Chamber of Industry, Commerce and Crafts in Parma, and three members appointed by leading national agricultural professional associations.

5. The Board of Directors shall be effectively set up with the acceptance of the elective members only, in default of appointment of members as per sub-section 4, who shall hold office until they are replaced.

6. The members of the Board of Directors as per sub-section 4 shall be selected among qualified persons who do not hold office in the administrative structures of the associations concerned.

7. Furthermore, the Consortium shall have at its service an interprofessional commission, formed by representatives of breeders, slaughterers and producers, that will provide the bodies of the consortium with orientation and advisory services concerning the application of provisions laid down by the law and by this executive order as well as by the instructions adopted by the consortium itself.

8. Subject to the indications contained in sub-section 4, only the producers indicated in art. 1, sub-section 1, letter e) of this executive order, may take part in the formation of the bodies or the consortium as per sub-section 3.

Art. 32

Application to be entrusted with inspection

1. The application to be entrusted with inspection shall be forwarded by the legal representative of the voluntary consortium to the Ministry of Industry, Commerce and Crafts, together with the following documents:

a) list of associates, together with a declaration of the legal representative certifying that the requirements art. 11 of the law have been met with;

b) certified copy of the memorandum of association and of the by-laws of the consortium;

c) a report on the technical and administrative organization of the consortium and on the financial means it can count on in order to carry out inspection tasks.

2. The application and the above mentioned documents shall be forwarded in three copies.

Art. 33

Carrying out inspection tasks

I. The consortium entrusted with carrying out inspection tasks as a qualified association shall forward to the Ministries of Industry, Commerce and Crafts, of Agriculture and Forests, and of Health a yearly report on the activities carried out, the budgets approved — enclosing the reports drawn up by the Board of Directors and by the Board of Auditors — as well as a copy of deliberations adopted and orders issued in applying the law.

Art. 34

Dissolution of the Board of Directors

1. The Board of Directors of the Consortium entrusted with carrying out inspection tasks may, after a formal notice has been served, be dissolved through a motivated decree is sued by the Ministry of Industry, Commerce and Crafts, in agreement with the Ministry of Agriculture and Forests, and of Health, in cases provided for by art. 2619 of the civil code.

2. The same decree mentioned in sub-section 1 shall appoint, to take care of temporary management, a government provisional administrator who shall summon an assembly within six months to appoint a new Board of Directors.

3. If there are more serious cases and, in particular, if the inspection tasks are proven to have been carried out irregularly, the Ministry of Industry, Commerce and Crafts, in agreement with the Ministries of Agriculture and Forests, and of Health, may issue a decree revoking the inspection assignment.

4. The revocation is compulsory it the conditions of art. 11, sub-section 2 of the law cease to exist.

5. If the consortium for any reason whatsoever loses its qualification as a qualified association, it shall hand over its seals, stamps, matrixes, registers and all the
materials it possesses which are required to carry out the activity provided for by the law and by this executive order.

Art. 35

Inspection personnel

1. The personnel charged with inspection tasks may carry out inspections and investigations and request production of any documents considered useful, as well as obtain a copy of the documents in order to detect any administrative and penal offences; the inspection personnel shall have free access to breeders, slaughterers and producers, as well as to suppliers of materials, products and services involved in the protected production circuit and, in general, to any place where hams are produced or distributed under whatsoever form for consumption.

2. The agents in charge shall draw up a special record on the basis of the inspections carried out and expert opinions given relating to any breach of the law and of this executive order; if the facts ascertained are subject to administrative sanctions, the agents in charge shall include in their report a description of the event which may give rise to charges.

3. Administrative sanctions shall be applied in compliance with the law and with this executive order, by the qualified association.

4. If it is ascertained that the facts constitute an offence, the competent judicial authority shall be informed thereof.

5. If any associations in charge of supervision and inspection, distinct from the qualified association, ascertain any breaches of the law and of this executive order, they shall immediately forward their report to the qualified association, together with proof of the relative disputes, to be followed up by the latter.

Art. 36

Ministerial obligations

1. Regardless of the criminal of conviction and of the administrative sanctions for breaches to the law, and in any of the cases provided for by articles 13, 14 and 15 of the law, the qualified association may request the Minister of Industry, Commerce and Crafts to implement the measures provided for therein.

2. The request shall be accompanied by documentation justifying the charges brought, and by any counter-deductions forwarded by the offender.

3. If the breach exists, the Minister of Industry, Commerce and Crafts shall determine the period wherein the measures shall apply, and inform the qualified association, who shall in turn notify the interested party of the measure to be implemented.

Art. 37

Obligations of the Provincial Office for Industry, Commerce and Crafts

1. The Provincial Office for Industry, Commerce and Crafts having jurisdiction over the territory as regards infliction of administrative sanctions, shall receive, in compliance with art. 21 of the law, the communication from the qualified association, together with any counter-deductions of the offender; the above Office shall examine the documents that have been forwarded and, after determining the nature of the sanction, proceed with the notification of art. 21 of the law. If the sanction is of a pecuniary nature, the offender may, within sixty days of the dispute, make payment that has been reduced in accordance with art. 16 of law no. 689 of 24 November 1981, and inform the qualified association thereof.

2. If any associations in charge of supervision and inspection, distinct from the qualified association, ascertain any breaches to the law and to this executive order, they shall follow the procedure laid down in art. 21 of the law.

Art. 38

Acknowledgement of the qualification of inspector

1. Performance of the duties of supervision entrusted to the consortium shall be carried out by inspectors whose qualification as judicial police officers is acknowledged in accordance with art. 57 of the penal code, once the Prefect of Parma has attributed them the qualification of special officer, in
2. The provisions of art. 31, sub-section 4, shall be applied as from the date on which the company appointments are renewed immediately after the date on which this executive order comes into force.

Art. 41

Enforcement

1. This executive order shall come into force ninety days after its publication in the Official Gazette of the Italian Republic.

This decree, on which the seal of State has been applied, shall be included in the Official Records of regulations of the Italian Republic. It is compulsory for the persons concerned to observe it and have it observed.


The Minister of Industry, Commerce and Crafts
GUARINO

The Minister of Agriculture and Forests
FONTANA

The Minister of Health
DE LORENZO

Approved by the Minister for Justice: CoNso

Registered at the Audit Office on July 16th, 1993 Industries Register no. 6, sheet no. 169
ORDER OF 12 April, 1994

The Parma ham consortium is to be entrusted with the task of surveillance as of art. 11 of Act n° 26 of 13 February 1990 in which the regulations for safeguarding the denomination of origin <<Prosciutto di Parma>> are stated.

THE MINISTER OF INDUSTRY, TRADE AND CRAFTS

IN CONCERT WITH

THE MINISTER OF AGRICULTURE, FORESTRY AND FOOD RESOURCES

AND

THE MINISTER OF HEALTH

In view of Act 26, of 13 February 1990, in which the regulations for safeguarding the denomination of origin <<Prosciutto di Parma>> are stated and, in particular art. 11 by which the superintending Ministries, in order to ensure that checks and inspections are carried out in keeping with the previsions of the law, can avail themselves of a volunteer based consortium of producers;

In view of the Ministerial Order n° ‘253 of 15 February 1993, concerning the regulations for enforcing Act 26 of 13 February 1990;

After having examined the application made by the Parma ham consortium whose headquarters are in Parma, in which it is requested that it be entrusted with the task of surveillance as of the above-mentioned Art. 11, Act 26 of 13 February 1990;

After having read the consortium’s articles, which were approved by the Consortium’s Board of Directors at the meeting of 14 December 1993;

Having ascertained from the documents presented that the petitioner (consortium mentioned) has all the prerequisites and is therefore eligible to carry out the above-mentioned task and, that the consortium’s articles provides for what is prescribed by ‘the above-mentioned law and by the regulations for enforcing the same:

Hereby decrees:

Art. 1

1. The task of surveillance as of art. 11 of Act n° 26 of 13 February 1990, is to be entrusted to the Parma ham Consortium as stated in the premises.

2. The consortium’s articles have been approved in the purview written in the premises.

The order herewith will be published in the <<Gazzetta Ufficiale della Repubblica Italiana>>.

Rome, 12 April 1994.

The Minister of Industry, Trade and Crafts

SAVONA

The Minister of Agriculture, Forestry and Food Resources

DIANA

The Minister of Health

GARAVAGLIA

NOTES

FOREWARD

The text of the notes published herein has been compiled in conformity with Art. 10, paragraph 3, of the single text that was approved by order of the President of the Republic on 28 December 1985, n° 1092 having as its only aim to facilitate the reading of the provisions of law to which an allotment for the confirmation has been made. The legal bearing and the efficiency of the Acts written herewith remain the same.

Notes to the premises:

The purview of Art. 11 of Order 26/1990 reads as follows:

<<Art. 11 (Surveillance and control). — 1. The surveillance and controls for the application of the provisions stipulated by the order herewith, is provided by Ministry of Industry, Trade and Crafts, in agreement with the Ministry of Agriculture and Forestry and with the Ministry of Health.

2. The above-mentioned Ministries, in order to carry out the tasks mentioned in paragraph

3591703/1
1, can avail themselves of a specially qualified body, constituted by a volunteer based consortium of producers that:

a) is backed up by a statute (articles) that has been approved by the Minister of Industry, Trade and Crafts in concert with the Minister of Agriculture and Forestry and the Minister of Health;

b) no less than 50% of the members are producers in order for them to be able to act on behalf of at least 50% of the production protected during the previous 3 years;

c) is able to ensure, by its constitution and organization, and by the financial means it has at its disposal, that it carries out its constitutional activity effectively and impartially.

3. The qualified body to which the task will be entrusted as stated in paragraph 1, will be subject to the superintendence of the Ministry of Industry, Trade and Crafts which will act in agreement with the Ministry of Agriculture and Forestry as well as the Ministry of Health.>>

— The Minister's Decree no. 253/1993 for articles 31 and 32, lay down the rules for the handing over of the task of surveillance. The purview of the same articles reads:

<Art. 31 (Consortiums entrusted with the task of surveillance).

1. Whenever a volunteer consortium of producers is appointed as a qualified body pursuant to the law and the decree hereto, the Minister of Industry, Trade and Crafts will appoint the chairman of the Board of Arbitrators.

2. The task of surveillance is to be devolved by order of the Minister of Industry, Trade and Crafts in concert with, the Minister of Health, and the Minister of Agriculture and Forestry.

3. The articles of the consortium have been approved by the Minister of Industry, Trade and Crafts, in concert with the Ministers of Agriculture and Forestry and Health. The articles must provide the following: an assembly, a chairman, vice-chairman, a Board of Directors, an executive Committee and a board of arbitrators. Any alteration to the articles is to be approved in advance by the same procedure.

4. Among the Board of Directors there is to be a member who will be appointed by the Chamber of Commerce, Industry, Crafts and Agriculture in Parma, and three members to be appointed by one of the most representative on a national scale of Professional Agricultural Organizations.

5. The Board of Directors is lobe legitimately constituted on approval of only the electing members, with the exception of those members who have been appointed as stated in paragraph 4 who will remain in office until the very date when they are to be replaced.

6. The members of the Board of Directors as mentioned in paragraph 4, are to be selected amongst qualified people who do not belong to the Administration body and the organization in question.

7. The consortium must also have at its disposal, an interprofessional commission, made up of representatives of breeders, butchers and producers, that can assure the consortium guidance and counselling regarding the application of the provisions laid down by the law, the regulations herewith as well as the directives adopted by the consortium itself.

8. With the exception of what has been provided for in paragraph 4, as to the constitution of the members of the consortium as stipulated in paragraph 3, only the producers will be able to take part as stated in Art. 1, paragraph 1, point c) of the regulations herewith.

<<Art. 32 (Application for surveillance). — 1. The application whereby the consortium requests to be entrusted with the task of surveillance, must be submitted by the solicitor on behalf of the voluntary consortium to the Minister of Industry, Trade and Crafts, and is to be accompanied by the following set of documents:

a) a list of the members, along with the solicitor's declaration of the existence of the prerequisites as stated in art. 11 of the Order;
b) the original copy of the deed of association and of the articles of the Consortium.

c) a report on the technical and administrative organization of the consortium and on the financial resources available to it so as to enable it to accomplish the tasks of surveillance.

2. The application and the documents mentioned above are to be forwarded in triplicate.

Note to art. 1.

The purview of Art. 11 of Order no. 26/1990 has been written in the notes to the premises. 94A2910

MINISTRY OF INDUSTRY,
TRADE AND CRAFTS

Approval of the symbols to be used for branding the Trade mark on the Parina Ham.

THE MINISTER OF INDUSTRY,
TRADE AND CRAFTS

In view of Act 26, of 13 February 1990, in which the regulations for safeguarding the denomination of origin <<Prosciutto di Parma>> (Parma ham);

In view of the Ministerial Order 253, of the 15 February 1993, with which the enforcement of Act 26/1990, has been approved;

In view of the Ministerial Order of the 12 April 1994 whereby the Consortium of Parma ham has been entrusted with the task of surveillance as stated in art. 11 of the act 26/1990;

After having read the letter of 25 May 1994, with which the above-mentioned consortium has put into writing the proposal for the approval of the symbols required in order for Act 26/1990 and Order 253/1993 to be applied;

Taking into consideration that art. 12, point 2, of the same Act 26 of 13 February 1990, provides that the branding iron, seals and identification marks required for the same act to be enforced, be approved by Order of the

Minister of Industry, Trade and Crafts, on proposal of the qualified body;

Deeming that the proposal and therefore the symbols need to be approved;

Hereby Decrees:

Art. 1

1. The symbols related to the branding iron, to the seal and
to the identification mark as stated in art. 12 of Act 26 of 13
February 1990 have been approved as per enclosures 1, 2 and 3.

2. The symbol related to the branding iron as stated in point
3 of art. 4 of the ministerial Order 253 of 13 February 1993, has been approved as of enclosure 4.

Art. 2

1. The Ministerial Order of 9 October 1978 related to the symbols for the application of Art 506 of 4 July 1970 has been repealed.

2. The Order herein goes into effect ninety days after its publication in the <<Gazzetta Ufficiale della Repubblica Italiana>>.

Rome, 23 August 1994

Minister: Gnutti