Publication of an application for registration pursuant to Article 6(2) of Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin

This publication confers the right to object to the application pursuant to Articles 7 and 12(d) of the abovementioned Regulation. Any objection to this application must be submitted via the competent authority in a Member State, in a WTO member country or in a third country recognized in accordance with Article 12(3) within a time limit of six months from the date of this publication. The arguments for publication are set out below, in particular under 4.6, and are considered to justify the application within the meaning of Regulation (EEC) No 2081/92.

COUNCIL REGULATION (EEC) No 2081/92
APPLICATION FOR REGISTRATION: ARTICLE 5

PDO (x) PGI ( )

National application No: —

1. Responsible department in the Member State
   Name: Institut national des appellations d'origine
   Address: 138, avenue des Champs-Élysées — F-75008 Paris
   Tel. (33-1) 53 89 80 00
   Fax (33-1) 42 25 57 97

2. Applicant group
2.1. Name: Syndicat Interprofessionnel de l'Olive de Nice
2.2. Address: Box 116, Min Fleurs 6, F-06296 Nice Cedex 3
   Tel. (33) 04 93 83 33 90
   Fax (33) 04 93 21 25 87

2.3. Composition
   — Members: All natural and legal persons producing, processing, packing and marketing 'Olive de Nice'.
   — Management board: the 12 members making up the board are 6 growers, 3 cooperatives, 2 private processors and 1 packer

3. Type of product: Class 1-6 — Processed fruit

4. Specification
   (Summary of requirements under Article 4(2)

4.1. Name: ‘Olive de Nice’

4.2. Description
   — ‘Olive de Nice’ table olives are small in size (100 g comprising not fewer than 50 fruit and not more than 70), finely shaded in colour ranging from yellowish green to brown and from wine-coloured to mauvish black. They must be firm, with flesh that comes away easily from the kernel and have a slightly bitter taste but no acidity and a flavour of dried fruit;

   — ‘Olive de Nice’ olive paste must be a characteristic wine colour, which is neither green nor too dark: the paste must be smooth, fine and not coarse, with a fragrance reminiscent of dried fruit which can be compared with that of olive oil.

The olives and olive paste are obtained mainly from the Cailletier variety.

The area is consistent with the traditional siting of olive groves and cultivation of the Cailletier variety (the presence of this variety in olive groves is a sound indicator of the geographical context typical of the designation), and the locating of processing plants and is based on the original characteristics of the natural environment (topography, pedology, climatology).

The area's northern boundaries are contiguous overall with the northernmost limits of the cultivation of olive trees and the southern limits of the ‘alpine, subalpine, mountain’ temperature and rainfall zone. These limits are precise because with altitude, and also latitude, cold become a restricting factor.

The Mediterranean Sea forms the southern boundary. The eastern boundary consists of the border between France and Italy. The western boundaries along with the Valley of La Siagne come up against the Var olive groves and taken as a whole coincide with the limits beyond which the Cailletier variety is not cultivated.

4.4. Proof of origin: Table olives and olive paste may be marketed under the registered designation of origin ‘Olive de Nice’ only if a certificate of approval issued by the Institut national des désignations d’origine is obtained on the conditions laid down in the orders and decrees governing the approval of olive products qualifying for a registered designation of origin.

All operations involved in the production of the raw material and its preparation must be undertaken within the defined geographical area.

For the production of the raw material, the procedure entails:

— identifying the parcel: this means producing a list of parcels recognised as suitable for the production of olives with the designation ‘Olive de Nice’, i.e. parcels declared by the producer that comply with the requirements regarding siting and the rules of production (variety, growing system in the vineyard);

— a harvest declaration: drawn up annually by the grower who declares the area in production, the quantity of olives grown in compliance with the specified yield, and the purpose for which the olives are intended (production of confectionery, place of manufacture).

For manufacturing, the procedure entails:

— a declaration of manufacture: drawn up by the manufacturer who makes an annual declaration of the total quantity of product prepared;

— an application for a certificate of approval: identifying the premises where the products are stored together with all containers of the products claimed.

The procedure includes an analytical and organoleptic examination to verify observance of the quality and identity of the products.

Lastly, producers and manufacturers who are issued with a certificate of approval are obliged to make an annual stock declaration.
4.5. Method of production

Variety and growing system in olive grove

The table olives and olive paste consist exclusively of olives of the Cailletier variety. Within each olive grove, however, the presence of pollinating varieties and old local varieties of olive trees, in particular Arabanier, Blanquetier, Blavet, Nostral and Ribeyrou, is permitted provided they are spaced out in a coordinated way and represent not more than 5% of the number of trees in each cultivation unit in question. The use of olives obtained from pollinating varieties and old local varieties is only permitted for the production of olive oil on condition that the proportion of these olives does not exceed 5% by volume of the olives used.

The area available for each tree must be not less than 24 m².

The olive trees must be pruned at least once every two years and the prunings must be removed from the groves before the next harvest. Annual crops are authorised only in irrigated olive groves where the trees are less than 5 years old.

The olive groves must be maintained each year. However, no ploughing may take place in any olive groves from 1 September to the end of harvesting, other than for the sowing of green manure which is permitted up to 30 October.

Irrigation is allowed during the growing period until the colours begin to turn.

Harvesting

Save in exceptional circumstance, the yield from olive groves must not be more than 6 tonnes of olives per hectare.

Harvesting of the olives starts on a date fixed by order of the prefect on a proposal from the Institut national des appellations d'origine.

This must take place not earlier than the onset of ripening, i.e. when at least half the olives are wine-coloured. The olives must be picked directly from the tree and no leaf detachment product may be used, or harvested in the traditional way by beating the tree or shaking down the fruit with a pole or by mechanical means. The fruit must be collected in nets or other receptacles placed beneath the trees.

Olives collected from the ground or which have fallen into the nets or other receptacle before harvesting must be kept separate from the olives that can claim the use of the designation. Storage and transportation must take place in crates or slatted pallets.

Manufacturing conditions

The olives are graded by size, sorted and washed before being prepared. Their size must be consistent with a number of not less than 50 fruit and not more than 70 per 100 g. The olives must be whole, uncrushed and with no ruptures, finely shaded in colour ranging from yellowish green to brown or from wine-coloured to mauvish black. They are prepared according to local custom in brine consisting of not more than 12% sodium chloride in relation to the weight of water. No chemical products or preservatives other than sodium chloride may be used.

The sodium chloride content of the brine used to preserve the olives may not be less than 8%.

— Table olives: are preserved in brine for a minimum of 3 months. The presence in the solution of varying numbers of stalks, whether attached to the olives or not, is not a defect but a characteristic feature of the designation.

— Olive paste: The olives are preserved in brine for at least 6 months before being processed to eliminate all bitterness and make the final product sweeter. Olive paste is produced exclusively by:

— drying and removing salt from olives intended solely for the preparation of olive paste;
— centrifuging the olives to remove the kernel;
— homogenising the paste and adding a quantity of ‘Olive de Nice’ olive oil representing not more than 7% of the paste by weight.

4.6. **Link**: Table olives and olive paste with the registered designation of origin ‘Olive de Nice’ embody at the same time a natural environment, history and expertise.

**Natural environment**

France’s olive-growing zone is located at the boundary in climatic terms for the cultivation of the olive tree. The progress of olive cultivation across the territory has the appearance of colonisation by selection and adaptation. In difficult climatic circumstances, and for a given type of soil, only a variety that is perfectly attuned to the natural environment can establish itself and succeed in producing fruit. This has been achieved by the Cailletier variety for the ‘Olive de Nice’ designation of origin.

The olive groves of Nice are sited amidst rugged hills on carbonate soils. They occupy elevated areas, subcoastal plateaux and the slopes of major hill systems on land arranged in terraces.

The climate of the olive-growing area is a Mediterranean one balanced by the occasional presence of a mountain climate, with mild temperatures, more abundant rainfall than in Lower Provence, excellent sunshine, and above all winds that are not strong.

In these circumstances notable for the absence of strong winds, the Cailletier variety has become established over centuries as the dominant variety in Nice’s olive groves. The variety is so closely associated with the olive-growing landscape of Nice that its synonyms are: Petite olive de Nice, Olivier de Grasse (the name of a municipality close to Nice) and Grassenc.

**History**

For over two thousand years the olive tree has been part of the landscape of Alpes-Maritimes where it grows in 102 of the department’s 163 municipalities. A witness to this are the olive groves producing fruit planted with trees several hundred years old and mills, of which there are still five operating according to the ‘système génois’, such as the ‘moulin de Contes’ dating from the XIIIth century and with a preservation order on it, still driven by a water wheel and wooden gears. Originally located in coastal areas and hills following successive Phoenician, Greek and Roman invasions, olive cultivation developed over centuries in medium and upland areas to an altitude of 700 m. Because of its oil, cultivation of the olive tree has always been essential for the population of the ‘Comté de Nice’ and the Côte d’Azur. Nice has even been a ‘stronghold’ of the international trade in ‘Riviera’ type olive oil from the late XIXth century up to the Second World War.

Olivegrowing declined sharply in Alpes-Maritimes after the Second World War and the disastrous extremely cold periods in 1929 and 1956.

For more than 25 years, driven by the activities of the professional organisations, the more efficient olive cultivation of Alpes-Maritimes has held steady and is expanding in the area behind the coast where it has been able to win back hillsides from flower cultivation.

The introduction and later the propagation over centuries of the sole ‘Cailletier’ variety, better known as ‘Olive de Nice’, can be understood as the outcome of its adaptation to the environment and the qualitative and commercial recognition of the products it produces.

**Expertise**

Holdings that live essentially on olivegrowing have always been few in number even if today more and more of them are deriving their income from its products. On the terraces where the olive trees are grown, known locally as ‘planches’, cereals and market garden crops were also cultivated.
The shaking down of the olives using poles made of hazelnut or chestnut wood took place in winter from January to March, as the soil was not cultivated during that period. The custom has always been, therefore, to harvest the olives when they are turning colour or ripe.

The special characteristic of the Cailletier variety is that it has two uses, with qualities suitable for the preparation of oil and confectionery.

The production of table olives expanded primarily in the inter-war period in the face of competition from other oils.

As harvesting is undertaken in one operation only, at the earliest following the onset of ripening, the olives are wine-coloured to black and not uniformly coloured because of differences in the exposure of the groves. The olive de Nice, consequently, is not black but finely shaded in colour.

This small-sized olive with its large kernel and firm flesh is particularly well-suited to preparation in brine containing sodium chloride only, a form of preparation specific to the Nice region. This ‘natural’ preparation without additives other than salt ensures that the dried fruit characteristics, present in the oil, are also present in the table olives.

The occasional presence in the solution of stalks, attached to the olives or not, is due both to the features of the variety (fruit hanging by a long stalk) and the method of harvesting involving beating or shaking.

The reputation of the Olive de Nice extends far beyond the region and the area in which it has traditionally been consumed in association with Mediterranean cooking. It is sold in Paris and the Paris region but also in many countries, including the United States, the United Kingdom, Germany and the countries of northern Europe.

Since the rules for the production of the raw material are identical with those for table olives, and the manufacturing process involves no outside constituent, the special characteristics of Nice olive paste are derived from the same assets as those of the table olives; the product also benefits from its excellent renown both in the catering trade and in supermarkets and the like and delicatessens and is beginning to be counterfeited.

The expertise of the producers is apparent:

— in the knowledge of their groves shown by the growers who, through their experience are able to direct the production of their parcels (geographical location, age of grove, ripening potential, etc.) or of a given tree in a grove (size of tree, olive crop, size of olives, uniformity of ripeness, etc.) towards oil or confectionery production;

— at harvesting, which involves a single operation per tree, by the visual selection of the olives to be used for oil or confectionery production according to size, degree of ripeness and colouring, or smoothness (confectionery) or crumpled appearance (oil production) of their skin, etc.

— in the narrowing down of the choice of use of confectionery olives on completion of qualitative sorting (grading, healthy appearance free of insect holes or disease, whole, uncrushed, unruptured olives, etc.) by the favouring, for example, of olives with a stronger colour for the manufacture of paste, so as to produce a product that lacks bitterness and has the wine colour typical of Nice paste.

To sum up, table olives and olive paste bearing the ‘Olive de Nice’ designation draw their original character from:

— the depths of their natural environment, with its predominantly Mediterranean climate balanced by moderate winds;

— a variety that has found its environmental niche and comprises most of the trees planted in groves sited on hill terraces;

— the customs of harvesting by beating and shaking down in a single operation large-sized trees, and the late harvesting, after the colour turns, of finely shaded fruit;
— the expertise of the olivgrowers and processors;
— manufacturing techniques appropriate to the variety and which emphasise preserving the characteristic features of the raw material.

4.7. Inspection body

— Name: INAO
  Address: 138, avenue Champs Elysées — F-75008 Paris
— Name: DGCCRF
  Address: 59, Boulevard V. Auriol — F-75703 Paris Cedex 13

4.8. Labelling: In addition to the compulsory information provided for in the rules on the labelling and presentation of food, the following must appear on the labelling of table olives and olive paste qualifying for the registered designation of origin ‘Olive de Nice’:

— the name of the designation: ‘Olive de Nice’;
— the words: appellation d’origine contrôlée or ‘AOC’. Where the name of an undertaking or brand appears on the labelling, independently of the address, the name of the designation is repeated between the words appellation and ‘contrôlée’.

The above information must be grouped in the same visual field and on the same label. It must be indicated in conspicuous, clearly legible and indelible characters of a sufficient size to stand out from the label on which they are printed so as to be clearly distinguishable from all other written or graphic information.

4.9. National requirements: Order concerning the registered designation of origin ‘Olive de Nice’


Date of receipt of the full application: 4 December 2003.