COMMISSION IMPLEMENTING REGULATION (EU) 2021/657

of 21 April 2021

entering a name in the register of protected designations of origin and protected geographical indications ('Caşcaval de Săveni' (PGI))

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 Article 52(3)(a) thereof,

Whereas:

(1) Pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012, the application from Romania to register the name 'Caşcaval de Săveni' as protected geographical indication(PGI) was published in the *Official Journal of the European Union* ([2]).

(2) On 30 March 2020 the Commission received the notice of opposition and the related reasoned statement of opposition from Bulgaria. The Commission forwarded the notice of opposition and the reasoned statement of opposition sent by Bulgaria to Romania on 2 April 2020.

(3) The Commission examined the opposition sent by Bulgaria and found it admissible. The word 'кашкавал', which was presented in the statement of Bulgaria as the transcriptions 'kashkaval' or 'kaschaval', is homonymous with the name 'caşcaval' which forms part of the compound name 'Caşcaval de Săveni'. The term 'кашкавал' is the name used in Bulgaria for basic milk products that are produced and marketed in Bulgaria on a commercial scale. The statement of opposition claimed that the registration of the proposed name would jeopardise the existence of the name 'кашкавал' or of trade marks including the term 'кашкавал' and the existence of products which have been legally on the Bulgarian market for at least five years preceding the date of publication of the application for registration of the name 'Caşcaval de Săveni'.

(4) By letter of 28 May 2020, the Commission invited the interested parties to engage in appropriate consultations to seek agreement among themselves in accordance with their internal procedures.

(5) Romania and Bulgaria reached an agreement, which was notified by Romania to the Commission on 28 August 2020, within the prescribed deadline.

(6) Romania and Bulgaria concluded that entering the name 'Caşcaval de Săveni' in the register of protected designations of origin and protected geographical indications should not be detrimental to Bulgaria future requests seeking registration of a compound name including the term 'кашкавал' within the framework of the EU quality schemes.

(7) As it complies with the provisions of Regulation (EU) No 1151/2012 and EU legislation, the content of the agreement concluded between Romania and Bulgaria should be taken into account.

(8) On 8 April 2020, the Commission received the notice of opposition and the related reasoned statement from Greece. The Commission forwarded the notice of opposition to Romania on 16 April 2020.

(9) The Commission examined the opposition sent by Greece and found it admissible. The opposition claims 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 in Greece for at least five years preceding the date of the publication of the application for registration of the name 'Caşcaval de Săveni'.

([1]) OJ L 343, 14.12.2012, p. 1.
([2]) OJ C 15, 16.1.2020, p. 5.

(10) By letter of 2 June 2020 the Commission invited the interested parties to engage in appropriate consultations to seek agreement among themselves in accordance with their internal procedures.

(11) On 28 August 2020 Romania submitted in accordance to Article 51(3) last subparagraph of Regulation (EU) No 1151/2012 a request for extension of the deadline for the consultations with Greece in the opposition procedure concerning the above mentioned application which was granted by the Commission.

(12) Romania and Greece reached an agreement, which was notified by Romania to the Commission on 27 November 2020, within the extended deadline.

(13) Romania and Greece agreed that the protection of the designation 'Caşcaval de Săveni' should not cover the stand alone name 'caşcaval' but only the compound name 'Caşcaval de Săveni' as a whole. Moreover, they concluded that the Regulation entering the name 'Caşcaval de Săveni' in the register of protected designations of origin and protected geographical indications should clarify the scope for continued use of the term 'caşcaval'.

(14) As it complies with the provisions of Regulation (EU) No 1151/2012 and EU legislation, the content of the agreement concluded between Romania and Greece should be taken into account.

(15) Therefore, the name 'Caşcaval de Săveni' (PGI) should be protected as a whole, whereas the term 'caşcaval' may continue to be used in labelling or presentations within the territory of the Union, provided that the principles and rules applicable in its legal order are respected,

HAS ADOPTED THIS REGULATION:

Article 1

The name 'Caşcaval de Săveni' (PGI) is registered.

The name in the first paragraph identifies a product from Class 1.3. cheeses set out in Annex XI to Commission Implementing Regulation (EU) No 668/2014 ([3]).

Article 2

The term 'caşcaval' may continue to be used in labelling or presentations within the territory of the Union, provided that the principles and rules applicable in its legal order are respected.

Article 3

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

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

Done at Brussels, 21 April 2021.

For the Commission
The President
Ursula VON DER LEYEN

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