

COMMISSION IMPLEMENTING REGULATION (EU) 2023/467**of 3 March 2023****approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications ('Prosciutto di San Daniele' (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 Article 52(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 San Daniele', registered under Commission Regulation (EC) No 1107/96 ⁽²⁾.
- (2) Since the amendments in question are not minor within the meaning of Article 53(2) of Regulation (EU) No 1151/2012, the Commission published the amendment application in the *Official Journal of the European Union* ⁽³⁾ as required by Article 50(2)(a) of that Regulation.
- (3) On 21 June 2022 the Commission received a notice of opposition and the related reasoned statement of opposition from a legal person established in the United Kingdom.
- (4) The opponent alleged that the amendments were contrary to Article 5(1) and Article 7(1) of Regulation (EU) No 1151/2012, since they introduced excessive and unjustified restrictions on raw materials and would have resulted, if approved, in unequal treatment of the operators to the advantage of Italian producers. The opposition was deemed admissible. Consequently, by letter dated 24 August 2022, the Commission invited Italy and the opponent to engage in appropriate consultations to seek an agreement.
- (5) Following the consultations, an agreement was reached between Italy and the opponent, which was communicated to the Commission by letter of 21 November 2022. As a result, the opponent withdrew its opposition and agreed that no changes were needed to the proposed amendments to the product specification of protected designation of origin 'Prosciutto di San Daniele'.
- (6) On 23 June 2022 the Commission received a notice of opposition from the Netherlands, which was followed by a reasoned statement of opposition sent on 25 August 2022. In accordance with Article 51(2) of Regulation (EU) No 1151/2012, the notice of opposition is to be followed within two months by a reasoned statement of opposition. In the present case, the reasoned statement of opposition from the Netherlands was not sent within the prescribed deadline. Therefore, the opposition from the Netherlands is deemed inadmissible.
- (7) In the light of the above, the Commission considers that the amendments to the specification for the protected designation of origin 'Prosciutto di San Daniele' should be approved,

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ 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 (OJ L 148, 21.6.1996, p. 1).

⁽³⁾ OJ C 139, 29.3.2022, p. 10.

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name 'Prosciutto di San Daniele' (PDO) are hereby approved.

Article 2

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, 3 March 2023.

For the Commission
The President
Ursula VON DER LEYEN
