



2024/1966

17.7.2024

COMMISSION IMPLEMENTING REGULATION (EU) 2024/1966

of 16 July 2024

entering a name in the register of Traditional Specialities Guaranteed ('Sardeluță marinată' (TSG))

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) In accordance with Article 90(5) and (6) of Regulation (EU) 2024/1143 of the European Parliament and of the Council⁽²⁾, which repealed Regulation (EU) No 1151/2012, the latter remains applicable to the applications for registration of traditional specialities guaranteed received by the Commission and published in the Official Journal of the European Union before 13 May 2024.
- (2) Pursuant to Article 50(2)(b) of Regulation (EU) No 1151/2012, the application from Romania to register the name 'Sardeluță marinată' as a Traditional Speciality Guaranteed (TSG) was published in the *Official Journal of the European Union*⁽³⁾.
- (3) On 24 November 2023 the Commission received a reasoned statement of opposition from Bulgaria. The opponent argued that the name proposed for registration is lawful, renowned and economically significant for similar agricultural products or foodstuffs (Article 21(1), point (b), of Regulation (EU) No 1151/2012). In particular, Bulgaria claimed that there has been a long-standing tradition of marinating sprat in Bulgaria. A product is offered on the Bulgarian market under the name 'маринована цаца', which, in translation, is the same as 'Sardeluță marinată'. Bulgaria explained that marinated sprat has been well-known for decades, it is a product of economic significance and is in demand by the Bulgarian consumers. Therefore, Bulgaria asked, in accordance with Article 18(3) of Regulation (EU) 1151/2012, that the Romanian term 'Sardeluță marinată', when registered as a TSG, is to be accompanied by the claim 'made following the tradition of Romania'. This would ensure the protection of the interests of the Bulgarian producers of marinated sprat.
- (4) The Commission found the opposition admissible, within the meaning of Article 21(1), point (b), of Regulation (EU) No 1151/2012, and, by letter of 18 December 2023, 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 to the Commission on 5 February 2024, within the prescribed deadline.
- (6) In accordance with Article 18(3) of Regulation (EU) No 1151/2012, Romania and Bulgaria agreed that in order to distinguish from comparable product or products that share an identical or similar name, the name of the traditional speciality guaranteed 'Sardeluță marinată', once registered as a TSG, should always be accompanied by the claim 'made following the tradition of Romania'.
- (7) Therefore, this name should not be protected as such, but only in conjunction with the claim 'made following the tradition of Romania'.

⁽¹⁾ OJ L 343, 14.12.2012, p. 1, ELI: <http://data.europa.eu/eli/reg/2012/1151/oj>

⁽²⁾ Regulation (EU) 2024/1143 of the European Parliament and of the Council of 11 April 2024 on geographical indications for wine, spirit drinks and agricultural products, as well as traditional specialities guaranteed and optional quality terms for agricultural products, amending Regulations (EU) No 1308/2013, (EU) 2019/787 and (EU) 2019/1753 and repealing Regulation (EU) No 1151/2012 (OJ L, 2024/1143, 23.4.2024, ELI: <http://data.europa.eu/eli/reg/2024/1143/oj>).

⁽³⁾ OJ C 303, 28.8.2023, p. 5.

- (8) As a consequence, the name ‘маринована цаца’ should be allowed to continue to be used for products that do not comply with the product specification of ‘Sardeluță marinată’ ‘made following the tradition of Romania’, within the territory of the Union provided that the principles and rules applicable in its legal order are respected.
- (9) The consolidated product specification including the reference to the claim should be published for information only.
- (10) Accordingly the name ‘Sardeluță marinată’ should be entered in the register of Traditional Specialities Guaranteed (TSG),

HAS ADOPTED THIS REGULATION:

Article 1

The name ‘Sardeluță marinată’ (TSG) is registered.

The name in the first paragraph identifies a product from Class 1.7. Fresh fish, molluscs and crustaceans and products derived therefrom, set out in Annex XI to Commission Implementing Regulation (EU) n° 668/2014 ⁽⁴⁾.

Article 2

The name ‘Sardeluță marinată’ (TSG) shall be accompanied by the claim ‘made following the tradition of Romania’.

Article 3

The name ‘маринована цаца’ may continue to be used for products that do not comply with the product specification of ‘Sardeluță marinată’ ‘made following the tradition of Romania’ within the territory of the Union, provided that the principles and rules applicable in its legal order are respected.

Article 4

The consolidated product specification is set out in the Annex to this Regulation.

Article 5

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, 16 July 2024.

For the Commission
The President
Ursula VON DER LEYEN

⁽⁴⁾ 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 of 19.6.2014, p. 36, ELI: http://data.europa.eu/eli/reg_impl/2014/668/oj).

ANNEX

PRODUCT SPECIFICATION OF A TRADITIONAL SPECIALITY GUARANTEED

‘Sardeluță marinată’

EU No: TSG-RO-02882 – 21.12.2022

Member State: Romania

1. Name to be registered

‘Sardeluță marinată’

Depending on the method of obtaining the product, the name of the product mentioned on the label will also be accompanied by the solution used, respectively: ‘Sardeluță marinată’ TSG (in wine), ‘Sardeluță marinată’ TSG (in sunflower oil), ‘Sardeluță marinată’ TSG (in spicy sunflower oil). The name ‘Sardeluță marinată’ shall be accompanied by the claim ‘made following the tradition of Romania’.

2. Type of product

Class 1.7. Fresh fish, molluscs and crustaceans and products derived therefrom

3. Grounds for the registration

3.1. Whether the product (check boxes ☒, ☐)

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

☒ is produced from raw materials or ingredients that are those traditionally used.

The raw material is sprat, a fish of the species *Sprattus sprattus phalericus* and *Sprattus sprattus*. The sprat is a delicate, juicy, small-sized pelagic fish, usually 65 to 90 mm long, with an elongated body, laterally compressed, with silvery flanks and belly and a dark bluish or greenish back.

The sprat is a small sea fish that has been used for decades in marinated products, semi-preserves and as tinned fish, and is used to manufacture ‘Sardeluță marinată’. Processed and marinated sprats are covered in different filling media, to manufacture three flavour varieties, that are organoleptically distinct in terms of taste, namely: ‘Sardeluță marinată’ (în vin) (sprat marinated in wine), ‘Sardeluță marinată’ (în ulei de floarea-soarelui) (sprat marinated in sunflower oil), ‘Sardeluță marinată’ (în ulei de floarea-soarelui picant) (sprat marinated in sunflower oil with chili).

The following ingredients have been used traditionally to marinade the fish and as filling media: non-iodised rock salt, wine vinegar, white wine, sugar, sunflower oil, sweet paprika powder, chili pepper, black peppercorns, bay leaves, whole allspice, whole coriander seeds.

3.2. Whether the name

☐ has been traditionally used to refer to the specific product;

☒ identifies the traditional character or specific character of the product.

The products’ name indicates the specificity of the raw material – headed and gutted sprat – and the preparation method (marination), and distinguishes between the flavour varieties of the particular filling medium used. This information, included in the name, alerts the consumer to the differences between the various product varieties.

This traditional product's specificity has been explicitly used over time, not just with regard to the raw material, but also the product's names. In 1974, 'Sardeluță marinată' was made the subject of production and marketing standards developed by the Ministry of Internal Trade (Institute for Trade Research, Internal Trade Documentary Information Office): 'Departmental Internal Standard (N.I.D) No 2190-74 on semi-preserves of cold marinated fish in wine sauce and oil and in chili sauce'. A further reference to this speciality dates back to 1988, when the food industry used to produce 'Marine – Sprat in chili oil', 'Marine – Sprat in oil and vegetables', and 'Marine – Sprat in tomato and onion sauce', as shown in the Technological Instructions on how to produce cans of small sea fish (Directorate for Fisheries and Industrial Fisheries, 1988).

Over time, the term sardeluță and the term sprat as a species have ended up becoming synonyms both in the food industry's technological specifications and in the context of food consumption in Romania. Scientific dictionaries confirm that sprat and sardeluță have become synonyms: *Dicționarul de sinonime al limbii române* [Dictionary of synonyms in the Romanian language], authors Luiza Seche and Mircea Seche, Editura Academiei RSR, Bucharest, 1982, and *Dicționarul de sinonime al limbii române* [Dictionary of synonyms in the Romanian language], authors Luiza Seche, Mircea Seche and Irina Preda, Editura Științifică și Enciclopedică, Bucharest, 1989.

The online European Nature Information System (EUNIS) database managed by the European Environmental Agency (EEA), also lists the term sardeluță as a Romanian synonym for sprat and *Sprattus sprattus*.

In accordance with Order No 32/2023 of the Minister for Agriculture and Rural Development approving the trade names of fish species and other aquatic creatures, accepted on the territory of Romania, the name of sprat /sardeluță is used for the species *Sprattus sprattus phalericus*, *Sprattus sprattus*.

4. Description

4.1. Description of the product to which the name under point 1 applies, including its main physical, chemical, microbiological or organoleptic characteristics showing the product's specific character (Article 7(2) of this Regulation)

'Sardeluță marinată' is produced by marinating the raw material, sprat, resulting in three different varieties depending on the marinade used then covering it in the chosen filling medium. By adding wine sauce, sunflower oil or sunflower oil with chili to the marinated sprat and by flavouring it with different ingredients, the products acquire distinct tastes, with specific organoleptic qualities.

Depending on the filling medium used, the product name on the label has to be completed with the specific ingredient used, as follows: 'Sardeluță marinată STG' (în vin) (sardines marinated in wine), 'Sardeluță marinată STG' (în ulei de floarea-soarelui) (in sunflower oil), 'Sardeluță marinată STG' (în ulei de floarea-soarelui picant) (in sunflower oil with chili).

Physicochemical characteristics

1. Fish content minimum 65 %
2. Salt (sodium chloride) maximum 7 %
3. Acidity minimum 0,5 % acetic acid

Organoleptic characteristics

The main characteristics of the products are their appearance, texture, colour, flavour, aroma and taste. Their appearance is that of headed and gutted fish with firm flesh, seamless cuts and no damaged skin. The fish are delicate, juicy, and covered in the filling liquid specific to each product. 'Sardeluță marinată' has the same colours as the fresh fish: the upper part of the body is an iridescent greenish-grey with silvery flanks and belly. In the case of 'Sardeluță marinată' in wine and 'Sardeluță marinată' in sunflower oil, the colour of the filling medium is translucent, with silvery reflections. As for 'Sardeluță marinată' in chili oil, the liquid is translucent, with silvery reflections and a reddish tinge. The product's flavour is given by the ingredients used, namely allspice, coriander, black pepper, and bay leaves. In the case of 'Sardeluță marinată' in chili oil, the specific flavour is given by the chili pepper and the sweet paprika powder.

‘Sardeluța marinată’ in wine tastes of saltwater fish and has a slightly acidic flavour, which is accompanied by the aroma of wine vinegar and white wine. ‘Sardeluța marinată’ in sunflower oil tastes of saltwater fish and has the neutral flavour of sunflower oil. ‘Sardeluța marinată’ in chili oil tastes of saltwater fish, and with an added bite of chili flavour.

4.2. Description of the production method of the product to which the name under point 1 applies 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 (Article 7(2) of this Regulation)

The raw material used for the marinated products is refrigerated or frozen sprat (*Sprattus sprattus phalericus*, *Sprattus sprattus*). The flesh is delicate and juicy, and it tastes like a saltwater fish.

The ingredients used in the manufacturing process are sunflower oil, wine vinegar, non-iodised rock salt for the food industry, sugar, white wine, and unprocessed spices (allspice, coriander, black pepper, and bay leaves). In addition, chili pepper and sweet paprika powder are used to prepare ‘Sardeluța marinată’ in chili oil.

The production method comprises the following steps: delivery of the frozen fish, storage, thawing, primary processing and preservation by refrigeration, preparing the spice broth, preparing the marinade, preparing the filling media, marinating, placing in individual containers and adding the filling medium.

(a) Delivery of the fish

Delivery and quantity check, storage and subsequent unpacking where necessary, thawing the raw material in appropriate premises, and quality check.

(b) Primary processing of the fish

Sprats are headed, gutted, and washed to become what are called sardeluță. They are preserved by flake-ice refrigeration.

(c) Preparation of the spice broth

The ingredients (allspice, coriander, black pepper, bay leaves) and the water are measured out according to the recipe. The water is boiled in the boiling tank and then poured over the mixed spices in the mixing tank. After boiling, the broth is left to cool before being transferred to drum containers. It is then stored for 48 hours at a temperature of no more than 25 °C.

The recipe for 20 litres of spice broth is the following:

Item No	Ingredients	Unit of measurement	Amount
1.	Water	Litres	20
2.	Whole peppercorns	kg	0,2
3.	Whole allspice berries	kg	0,1
4.	Whole coriander seeds	kg	0,1
5.	Bay leaves	kg	0,1

(d) Preparation of the marinade

The H-1:1 marinade for headed and gutted sprat contains water, wine vinegar, non-iodised rock salt, the specific spice broth, white wine, and sugar. The quantities of ingredients for the marinade are given for 100 litres of mixture.

The marinade recipe is as follows:

Item No	Ingredients	Unit of measurement	Amount
1.	Water	Litres	41
2.	Wine vinegar (9°)	Litres	25
3.	Non-iodised rock salt	kg	12
4.	Spice broth	Litres	10
5.	White wine	Litres	8
6.	Sugar	kg	4

(e) Preparation of filling media

The filling media are different and specific to each product variety.

The filling medium for 'Sardeluță marinată' in wine is made of the following ingredients:

Ref. No	Ingredients	Unit of measurement	Amount
1.	Water	Litres	54
2.	Wine vinegar (9°)	Litres	20,5
3.	Spice broth	Litres	10
4.	White wine	Litres	8
5.	Sugar	kg	4
6.	Non-iodised rock salt	kg	3,5

The filling medium for 'Sardeluță marinată' in sunflower oil is sunflower oil.

The filling medium for 'Sardeluță marinată' in sunflower oil with chili is obtained by boiling the finely chopped chili pepper with the sweet paprika powder and the sunflower oil. The boiling process takes about 60 minutes and ends when the oil turns a reddish colour due to the spices. The mixture is left to cool to room temperature. After cooling, the mixture is strained to produce a clear liquid with subtle traces of red paprika powder; it has the typical taste of chili pepper, being neither bitter nor rancid, and the pleasant, aromatic smell of bell pepper. It is then stored for 48 hours at a temperature of no more than 25 °C.

The filling medium for 'Sardeluță marinată' in sunflower oil with chili has the following composition for 10 litres:

Item No	Ingredients	Unit of measurement	Amount
1.	Sunflower oil	Litres	10
2.	Sweet paprika powder	kg	0,1
3.	Minced chili pepper	kg	0,1

(f) Marinating

Headed and gutted sprats are weighed and rinsed in a 24 % salt water solution. They are removed from the saline solution and coated in the marinade. Marinating takes at least 16 hours or until pH reaches the required value, which is 4,9. After marinating, the sprats are removed from the mixture and drained before placing in containers. The filling media are prepared in advance so that they are already cold when the packing process begins.

(g) Product preparation

The products in the specifications are obtained by placing the sprats in individual containers and adding the filling medium. The ratio of raw material to the filling medium is determined by the type of packaging, but raw material – sprat – cannot account for less than 65 %.

‘Sardeluță marinată’ in wine is marinated sprat packed in individual containers, to which the specific filling medium (wine sauce) is added, up to a maximum 35 % of total weight. Depending on the container's capacity, 2-10 grams of sunflower oil and around 2-3 whole coriander seeds (up to 4 grams) are added.

‘Sardeluță marinată’ in sunflower oil is marinated sprat placed in individual containers, to which the specific filling medium (sunflower oil) is added, up to a maximum 35 % of total weight. Depending on the container's capacity, 1 or more bay leaves (up to 1 gram), and around 2-3 whole black peppercorns (up to 4 grams) are added.

‘Sardeluță marinată’ in sunflower oil with chilli is marinated sprat packed in individual containers, to which the specific filling medium (sunflower oil with chilli) is added, up to a maximum 35 % of total weight. Depending on the container's capacity, around 2-3 whole red peppercorns (up to 4 grams) are added.

4.3. *Description of the key elements establishing the product's traditional character – composition corresponding to traditional practice for that product or the fact that it is produced from raw materials or ingredients that are those traditionally used (Article 7(2) of Implementing Regulation (EU) No 668/2014)*

In 1953, technology specialists considered sprat as raw material for semi-preserves and to produce tinned fish: the Ministry of Meat, Fish and Dairy Industries, Îndreptar pentru industria de prelucrare a peștelui [Rulebook for the fish processing industry], Editura Tehnică, Bucharest, Romania, 1953, p. 135. According to the rulebook, sprat was one of the raw materials used for semi-preserved fish in vegetable oils.

‘Sardeluță’ is mentioned in 1957 as a raw material in the guidelines on food standards drafted by V. Gheorghe, PhD: Gheorghe, V., Pești și delfinii în alimentație și industrie [Fish and dolphins in food and industry], Ministry of Consumer Goods Industry, Directorate-General for Fish Industry and Fishing Regulation, Bucharest, Romania, 1957. According to V. Gheorghe, ‘[...] as it belongs to the same family as the Baltic Sea sprat (although it is slightly smaller), sardeluța would be well suited for the production of tinned sprats in oil [...]’.

Sardines, medium-sized sea fish, headed and gutted, were used in 1960 as raw material in a recipe signed by Ecaterina Teișanu, ‘Sardines in oil’ (Teișanu, E., Conservarea cărnurilor și peștelui în gospodărie [Preserving meat and fish at home], Editura Tehnică, Bucharest, 1960).

In 1988, the Directorate for Fisheries and Industrial Fisheries subordinated to the Ministry of Food Industry and Acquisition of Agricultural Products (M.I.A.A.P.A.) had adopted, for the benefit of food industry units, Technological instructions on how to produce cold marinated sea fish. The following species were considered as raw material: ‘Black and Caspian Sea sprat, anchovy, Black Sea shad, and sprat, according to NTR 1484-83 – “Salted indigenous fish” [...]’.

The ingredients for the products in the specifications were already laid down in the food industry's manufacturing standards in 1953. For example, the Rulebook for the fish processing industry mentions bay leaves, peppercorn, chili powder and sweet paprika powder, mustard seeds, coriander, allspice, etc. (Ministry of Meat, Fish and Dairy Industries, Îndreptar pentru industria de prelucrare a peștelui, Editura Tehnică, Bucharest, Romania, 1953, pp. 93-49).

Another reference to the ingredients is ‘Departmental Internal Standard (N.I.D) No 2190-74 on semi-preserves of cold marinated fish in wine sauce and oil and in chili sauce’. This stated that, according to the collection of State standards and internal technical quality rules for fish and fish products (Ministry of Internal Trade, Standarde de stat și norme interne tehnice de calitate pentru pește și produse din pește, Bucharest, Romania, 1975), the ingredients were ‘[...] edible sunflower oil, fermentation vinegar, spices (peppercorn, bay leaves, allspice) [...]’.

In addition, in 1988, the Directorate for Fisheries and Industrial Fisheries subordinated to M.I.A.A.P.A. endorsed the Technological Instruction on how to produce sprat in wine sauce and oil as an appetizer; the raw material was sprat and the ingredients were '[...] edible sunflower oil, acetic acid 80 % – food grade, quality white wine, spices (peppercorn, bay leaves, allspice) [...]'.
