

COMMISSION IMPLEMENTING DECISION

of 8 April 2019

on the publication in the *Official Journal of the European Union* of the application for approval of an amendment, which is not minor, to a product specification referred to in Article 53 of Regulation (EU) No 1151/2012 of the European Parliament and of the Council for the name ‘Pomodoro S. Marzano dell’Agro Sarnese-Nocerino’ (PDO)

(2019/C 138/02)

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 50(2)(a) in conjunction with Article 53(2) thereof,

Whereas:

- (1) Italy has sent an application for approval of an amendment, which is not minor, to the product specification of ‘Pomodoro S. Marzano dell’Agro Sarnese-Nocerino’ (PDO) in accordance with Article 49(4) of Regulation (EU) No 1151/2012. The changes include a change of name from ‘Pomodoro S. Marzano dell’Agro Sarnese-Nocerino’ to ‘Pomodoro San Marzano dell’Agro Sarnese-Nocerino’.
- (2) In accordance with Article 50 of Regulation (EU) No 1151/2012 the Commission has examined that application and concluded that it fulfils the conditions laid down in that Regulation.
- (3) In order to allow for the submission of notices of opposition in accordance with Article 51 of Regulation (EU) No 1151/2012, the application for approval of an amendment, which is not minor, to the product specification, as referred to in the first subparagraph of Article 10(1) of Commission Implementing Regulation (EU) No 668/2014⁽²⁾, including the amended single document and the reference to the publication of the relevant product specification, for the registered name ‘Pomodoro S. Marzano dell’Agro Sarnese-Nocerino’ (PDO) should be published in the *Official Journal of the European Union*,

HAS DECIDED AS FOLLOWS:

Sole Article

The application for approval of an amendment, which is not minor, to the product specification, referred to in the first subparagraph of Article 10(1) of Implementing Regulation (EU) No 668/2014, including the amended single document and the reference to the publication of the relevant product specification, for the registered name ‘Pomodoro S. Marzano dell’Agro Sarnese-Nocerino’ (PDO) is contained in the Annex to this Decision.

In accordance with Article 51 of Regulation (EU) No 1151/2012, the publication of this Decision shall confer the right to oppose to the amendment referred to in the first paragraph of this Article within three months from the date of publication of this Decision in the *Official Journal of the European Union*.

Done at Brussels, 8 April 2019.

For the Commission

Phil HOGAN

Member of the Commission

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ 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).

ANNEX

APPLICATION FOR APPROVAL OF A NON-MINOR AMENDMENT TO THE PRODUCT SPECIFICATION FOR A PROTECTED DESIGNATION OF ORIGIN OR PROTECTED GEOGRAPHICAL INDICATION

Application for approval of an amendment in accordance with the first subparagraph of Article 53(2) of Regulation (EU) No 1151/2012

‘Pomodoro S. Marzano dell’Agro Sarnese-Nocerino’

EU No: PDO-IT-01524-AM04 — 29.12.2017

PDO (X) PGI ()

1. Applicant group and legitimate interest

Consorzio di Tutela del Pomodoro S. Marzano dell’Agro Sarnese-Nocerino

Address: Via Lanzara, 27
84087 Sarno (Sa)
ITALIA

Email: info@consorziopomodorosanmarzanodop.it

The Consorzio di Tutela del Pomodoro S. Marzano dell’Agro Sarnese-Nocerino is authorised to submit an amendment application under Article 13(1) of *Decree No 12511 of the Ministry of Agricultural, Food and Forestry Policy* of 14 October 2013.

2. Member State or Third Country

Italy

3. Heading in the product specification affected by the amendment(s)

- ☒ Product name
- ☒ Description of product
- ☒ Geographical area
- ☐ Proof of origin
- ☒ Method of production
- ☐ Link
- ☒ Labelling
- ☒ Other [legal references and inspection body updates]

4. Type of amendment(s)

- ☒ Amendment to product specification of a registered PDO or PGI not to be qualified as minor in accordance with the third subparagraph of Article 53(2) of Regulation (EU) No 1151/2012
- ☐ Amendment to product specification of a registered PDO or PGI for which a Single Document (or equivalent) has not been published and which cannot be qualified as minor in accordance with the third subparagraph of Article 53(2) of Regulation (EU) No 1151/2012

5. Amendment(s)

Product name

1. Amendment to Article 1 of the product specification

The name ‘Pomodoro S. Marzano dell’Agro Sarnese-Nocerino’ has been replaced by ‘Pomodoro San Marzano dell’Agro Sarnese-Nocerino’.

The amendment request is justified by the need to correct a transcription error, in the Union Register, of the term ‘S. Marzano’ referred to in Commission Regulation (EC) No 1263/96. At the time of the request for registration, the documentation sent to the competent services of the European Commission contained the indication ‘Pomodoro San Marzano dell’Agro Sarnese Nocerino’ and not ‘Pomodoro S. Marzano dell’Agro Sarnese Nocerino’.

While recognising that, in Italian, the abbreviation 'S.' is commonly used as a synonym for 'San' and that the marketing of the product in question is done under the commercial name 'Pomodoro San Marzano dell'Agro Sarnese Nocerino', the amendment aims to remedy the above-mentioned inconsistency and avoid the risk of confusion related to the different varieties registered. The registered indication of the protected designation, namely 'Pomodoro S. Marzano dell'Agro Sarnese Nocerino', is likely to mislead the consumer because of the marketing of plant varieties registered under names such as 'S. Marzano 2' (synonyms: 'S. Marzano Vesuvio 2' and 'S. Marzano lampadina 2'), 'S. Marzano 3' (synonyms: 'S. Marzano Vesuvio 3' and 'S. Marzano lampadina 3'), 'S. Marzano gigante 2' and 'S. Marzano gigante 3'.

Moreover, as can be seen from the historical documentation presented in 1996 at the time of the request for registration, published on the European Commission's DOOR portal, the historical and traditional name used to identify the product has always been 'Pomodoro San Marzano dell'Agro Sarnese-Nocerino'.

Description of product

2. A) Amendment to Article 2 of the product specification

— The sentence:

'The Protected Designation of Origin (PDO) "Pomodoro S. Marzano dell'Agro Sarnese-Nocerino", without any other qualifying term, is reserved for peeled tomatoes obtained from seedlings of the S. Marzano 2 and KIROS (ex Cirio 3 selection) varieties'

has been amended as follows:

'The Protected Designation of Origin (PDO) "Pomodoro San Marzano dell'Agro Sarnese-Nocerino", without any other qualifying term, is reserved for peeled tomatoes obtained from seedlings of the S. Marzano 2 and/or KIROS (ex Cirio 3 selection) varieties'.

B) Amendment to point 4.2 of the summary sheet

— The sentence:

'The product offered for sale to consumers consists exclusively of tomatoes of the S. Marzano 2 and KIROS (ex Cirio 3 selection) varieties [...]'

has been amended as follows:

'The product offered for sale to consumers consists exclusively of tomatoes of the S. Marzano 2 and/or KIROS (ex Cirio 3 selection) varieties [...]'.

— The sentence:

'The vines and tomatoes of the San Marzano 2 and KIROS varieties or improved strains [...]'

has been amended as follows:

'The vines and tomatoes of the San Marzano 2 and/or KIROS varieties or improved strains [...]'.

This amendment results from the possibility of using without distinction the S. Marzano 2 variety and/or the Kiros (ex Cirio 3 selection) variety. The amendment aims to remove any doubts regarding the simultaneous use of these two varieties.

3. Amendment to Article 5 of the product specification and point 4.2 of the summary sheet

— The first indent of paragraph (1) 'Plant characteristics', which reads 'Plants are not subject to any height specifications, except in the case of unspecified types;', has been amended as follows: 'Plants are not subject to any height specifications, except in the case of specified types;'

This amendment corrects an obvious clerical error and aims to clarify that specified types of plant are excluded.

— The following sentence has been added:

'For the preparation of the juice necessary to fill the containers, the tomatoes must be exclusively those that comply with the product specification, except for the parameters relating to size and regularity.'

It was considered appropriate to insert in the product specification that, for the preparation of the juice necessary to fill the containers, tomatoes are used that comply with the specification, except for the parameters of size and regularity. Size and regularity may be considered unimportant when the tomatoes are intended for the production of juice.

4. *Amendment to Article 6 of the product specification and point 4.2 of the summary sheet*

— The following provision laid down for whole peeled and sliced peeled tomatoes:

‘weight of drained product not less than 65 % of net weight’

has been amended as follows:

‘weight of drained product not less than 60 % of net weight’

and

— The following provision laid down for whole peeled tomatoes:

‘in a whole state or at least not damaged so as to alter the shape or volume of the fruit to an extent corresponding to not less than 65 % of its drained weight;’

has been amended as follows:

‘in a whole state or at least not damaged so as to alter the shape or volume of the fruit to an extent corresponding to not less than 60 % of its drained weight;’

The amendments change the weight of the drained product from 65 to 60 %. This amendment, applied to both peeled and sliced tomatoes, results from the fact that, because the product is already lacking in consistency, a high weight of drained product in the packaging frequently leads to the fruit breaking; this appearance is certainly not typical of a product with a protected designation.

Geographical area

5. *Amendment to Article 3 of the product specification*

— The following paragraph:

‘To qualify for the “Pomodoro S. Marzano dell’Agro Sarnese-Nocerino” PDO, tomatoes of the S. Marzano 2 and KIROS varieties, or improved strains of these, must be produced by agricultural undertakings and processed by industrial operators in areas belonging to the following municipalities:’

has been reworded as follows:

‘To qualify for the “Pomodoro San Marzano dell’Agro Sarnese-Nocerino” PDO, tomatoes of the S. Marzano 2 and/or KIROS varieties, or improved strains of these, must be produced by agricultural undertakings and processed by industrial operators in areas belonging to the following municipalities:’

This amendment takes into account the amendments listed in points 1 and 2 above.

— The following paragraphs on the description of the territory included in the Provinces of Salerno, Avellino and Naples:

‘PROVINCE OF SALERNO:

The whole of the municipalities of S. Marzano, Scafati and S. Valentino Torio; Municipality of Baronissi: to the north from the 10 km mark on the S.S. 88 road — border of the municipality of Fisciano, S. Chirico bridge — village of Orignano, to the west from the 10 km mark on the S.S.88 road — village of Cariti above the S.S. 88 road — Casa Fumo — Casa Mari — Casal Siniscalchi — 100 m above the S.S. 88 road, to the east of the village of Orignano — Masseria Petrone — Casa Faiella — S. Maria delle Grazie — S. Agnese and Caprecano local road, to the south from Casa Siniscalchi — Casa Napoli sotto Monticello — Casa Staccarulo — Staccarulo and Caprecano local road. Municipality of Fisciano: from the village of Baliano, to the east of its border at the 12 km mark on the S.S. 88, following municipal boundaries to the villages of Piazza di Pandola, Madonna del Soccorso, Canfora, Pizzolano, Villa road junction, La Sala, Carpineta road junction, village of Cappuccino, Borgo Penta, to the village of Bolano.

Municipality of Mercato S. Severino: northern area contained by the provincial road Cimitero — Pendino — Costa — Priscoli — Torello — Carifi — Caldo — Ciorani — Piedimonte — Lavinaro stream — Capocasale S. Vincenzo — Mercato San Severino urban area — S.S. 88 — Pandola Acigliano — S. Mango — border of Avellino — railway, Mercato San Severino urban area (area between the railway and the main road) as far as Grafone; southern area between the hamlet of Curteri — S. Angelo — Ospizio — Piazza del Galdo — S. Eustachio (contained between the main road and the Pendino provincial road) - Costa — Casa Lombardi. Municipality of Siano: from the village of Torello — municipal boundary — Castel S. Giorgio Siano road — to the north — Siano urban area — Cimitero — Campomanfoli coming back to Torello.

Municipality of Castel S. Giorgio: from Codola — following the municipal boundary to S. Maria a Favore, from there to Aiello Campo Manfoli — following the municipal border to Torello. From the hamlet of S. Croce the entire area south of the S.S. 266 road coming back to Codola. Municipality of Roccapiemonte: the entire municipality except the area to the east of the Camerelle — S. Severino provincial road.

Municipality of Nocera Superiore: northern area — from Masseria La Starza — provincial road from S. Maria delle Grazie to Sant'Onofrio — Croce Mallone — Iroma — Materdomini — to the west from Masseria La Starza along the boundary with the municipality of Nocera Inferiore as far as Croce S. Pietro. To the east from the hamlet of Materdomini — provincial road from Materdomini — Casa Rinaldi — Pecorari — railway line until the boundary of Cava dei Tirreni — village of Camerelle. To the south the whole area below the S.S. 18 road and the Cavaiola stream, starting from the boundary of Nocera Inferiore to the boundary of Cava dei Tirreni.

Municipality of Nocera Inferiore: the entire municipality except for the town centre and the entire area south of the S.S. 18.

Municipality of Sarno: the entire municipality except for the area north-east of the following line: S. Marino spring, Masseria Scarola, Alaria bridge, town centre, Cimitero, S. Maria della Foce, La Marmora, up to the provincial boundary.

Municipality of Pagani: the entire municipality except the area to the south of the S. Lorenzo — Pagani road.

Municipality of S. Egidio Monte Albino: the entire municipality except the area to the south of the Angri — Pagani local road.

Municipality of Angri: the entire municipality except for the entire area south of the Ausino aqueduct.

PROVINCE OF AVELLINO:

Municipality of Montoro Superiore: from the south — hamlet of Caliano — S. Eustachio road, Casa Castello. To the east towards Cimitero — village of Mercatello. To the east follow the municipal boundary going back towards Caliano.

Municipality of Montoro Inferiore: from the south — village of Piazza di Pandola, follow the boundary of the provincial road to the east, the railway crossing, until it meets the S.S. 88 road. Follow the zone west of the S.S. 88 until the end of the urban area, Preturo — railway line. Western zone as far as Ponte di Borgo — follow up to the village of Borgo — village of Marcatello, from there to the south along the municipal boundary until the intersection with the Piano — S. Pietro road. Follow to the south to Ponte Leone returning to Piazza di Pandola.

PROVINCE OF NAPLES:

The whole of the municipalities of Boscoreale, Poggiomarino, Pompei, S. Antonio Abate, S. Maria La Carità, Striano.

Municipality of Gragnano: from the hamlet of S. Leone follow the provincial road Gragnano — Pimonte — Castellamare di Stabia — Pompei — S. Antonio Abate — Lettere back to S. Leone.

Municipality of Castellammare: from the Gragnano-Castellammare di Stabia local road starting at the boundary of Gragnano, at the village of Sommozzariello, following the railway line to the village of Muscariello, turning east to the village of Tavemola as far as Somma estate and continuing along the municipal boundary until it comes back to Sommozzariello. Other municipalities: Acerra, Afragola, Brusciano, Caivano, Casalnuovo, Camposano, Castelcisterna, Cicciano, Cimitile, Mariglianella, Marigliano, Nola, Palma, Pomigliano, Scisciano, S. Vitaliano. The above-mentioned area is shown in the map of the Province of Salerno, along with sections of the Provinces of Naples and Avellino, and was delimited to a scale of 1:25 000 on the Military Geographical Institute (IGMI) maps which form an integral part of these specifications. All the aforesaid municipalities are included in the Agro Sarnese-Nocerino area and neighbouring areas and cultivate tomatoes on the irrigated or irrigable arable land on their plains. Hillside areas are of course excluded as they are not irrigated.

The above-mentioned area is shown in the map of the Province of Salerno, along with sections of the Provinces of Naples and Avellino, and was delimited to a scale of 1:25 000 on the Military Geographical Institute (IGMI) maps which form an integral part of these specifications.'

are amended as follows:

'PROVINCE OF SALERNO:

The whole territory of the municipalities of San Marzano sul Sarno, Scafati, San Valentino Torio, Baronissi, Fisciano, Mercato San Severino, Siano, Castel San Giorgio, Roccapiemonte, Nocera Superiore, Nocera Inferiore, Sarno, Pagani, Sant'Egidio del Monte Albino and Angri.

PROVINCE OF AVELLINO:

The whole territory of the municipality of Montoro.

PROVINCE OF NAPLES:

The whole territory of the municipalities of Boscoreale, Poggioreale, Pompei, Sant'Antonio Abate, Santa Maria La Carità, Striano, Gragnano, Castellammare di Stabia, Acerra, Afragola, Brusciano, Caivano, Casalnuovo, Camposano, Castello di Cisterna, Cicciano, Cimitile, Mariglianella, Marigliano, Nola, Palma Campania, Pomigliano D'arco, Scisciano and San Vitaliano.'

The description of the geographical area has been simplified, indicating for each province only the municipalities included in the geographical area, omitting the references to roads and local villages and hamlets. This amendment, while leading to a slight increase in the area, of approximately 5 %, does not result in the inclusion of land with different climate and soil characteristics to those suitable for cultivating the PDO tomatoes.

In addition, certain administrative changes have been incorporated, such as the merger of the municipalities of Montoro Superiore and Montoro Inferiore into the single municipality of Montoro; also, the abbreviation 'S.' in some municipalities has been corrected to read 'San'.

The name of the municipality of Castello di Cisterna has been corrected, as it was erroneously given as 'Castelcisterna'.

- The names of the following municipalities, *S. Marzano, Castellammare, Egidio Monte Albinio and Palma* have been corrected and replaced by the following names: *San Marzano sul Sarno, Castellammare di Stabia, San Egidio Monte Albinio and Palma Campania*. This amendment is justified due to the lack of consistency between the names referred to in the summary published in Official Journal C 73 of 23 March 2017 and those referred to in the product specification. This means that the two documents are now aligned.
- The following paragraph:

'All the aforesaid municipalities are included in the Agro Sarnese-Nocerino area and neighbouring areas and cultivate tomatoes on the irrigated or irrigable arable land on their plains. Hillside areas are of course excluded as they are not irrigated.'

has been reworded as follows:

'All the aforesaid municipalities are included in the Agro Sarnese-Nocerino area. The area covers the irrigated or irrigable lowland used as arable land.'

The term 'neighbouring areas' is no longer necessary, as it indicated the area intended for the production of the PDO outside the administrative border of the municipalities. The passage '*Hillside areas are of course excluded as they are not irrigated*' has been deleted as superfluous, as the previous sentence already clearly states that the land concerned is lowland used as irrigated or irrigable arable land.

Method of production

6. Amendment to Article 4 of the product specification

— The following sentence:

'Transplanting generally takes place in the first half of April, but can extend into the first 10 days of May.'

has been amended as follows:

'Transplanting generally takes place from the first half of April to 25 May.'

Regarding the timing of transplantation, shifting the final date for transplanting from 10 May to 25 May gives the farmers in the geographical area, where the temperature variations are more pronounced, the opportunity to carry out transplanting when the weather is favourable, avoiding any risks to the seedlings. Prolonging the deadline for transplantation by 15 days allows farmers to carry out transplantation under optimum climatic conditions for the development of the plant.

— The following sentence:

'Vines must be planted at least 40 cm apart along the row, with 110 cm between rows;'

has been amended as follows:

'Vines must be planted so that the maximum density of 25 000 seedlings per hectare is not exceeded.'

Concerning the planting distance, the request for amendment comes from the fact that the traditional methods of cultivation in some areas tend to reduce the planting distances to prevent sunlight from compromising the quality of the product. Moreover, the amendment also means that the producers have the possibility of larger spaces for the use of agricultural tools and/or machinery.

— The following sentence:

'The tomatoes are picked in the period between 30 July and 30 September by hand only and at different times, as and when they are fully ripe.'

has been amended as follows:

'The tomatoes are picked in the period between 15 July and 15 October by hand only and at different times, as and when they are fully ripe.'

It was requested to extend the harvesting period. The proposed dates take the possibility of good or bad weather into account.

— The following sentence:

'They then have to be sorted and transported in plastic containers holding between 25 and 30 kg. For transfer from the undertaking's and/or collective's collection centre to the processing plant, they may first be put into large, individually marked crates holding no more than 250 kg.'

has been amended as follows:

'They then have to be sorted into plastic containers and transported to the undertaking's and/or collective's collection centre or that of the intermediary cooperative. For transfer to the processing plant, the containers are individually marked according to producer and must not weigh more than 250 kg each.'

This amendment concerns the sorting of the freshly harvested product. It was considered appropriate to reduce the capacity of the containers for harvesting so as to make it easier to take them along the rows during the harvesting stage.

Reference to intermediary cooperatives was included to improve the specification's accuracy regarding the identification of operators in the product supply chain. The intermediary cooperatives act as collection centres in the same manner as those operated by the undertakings and/or collectives.

— The following sentence:

'yield in terms of processed product is no more than 80 %.'

has been amended as follows:

'yield in terms of processed product is no more than 70 %.'

The reason for this amendment is that the yield of 80 % provided for in the current specification is overestimated. It has been established over the years that the figure of 70 % has never been exceeded.

— The technological operations involved in preparing the whole and sliced peeled tomatoes now include marking the can with the letters 'SM' (in addition to the identification marks of the undertaking and batch). This operation follows sealing and precedes the sterilisation of the can.

The final paragraph therefore contains the following additional operation: 'Marking of the can with the letters "SM" (in addition to the identification marks of the undertaking and batch)'.

This change results from the need to identify the cans exactly and therefore avoid imitations and/or counterfeiting, as well as improving the recognisability of the PDO product so as to protect the final consumer and the agricultural supply chain as a whole.

Labelling

7. *Amendment to Article 8 of the product specification and point 4.8 of the summary sheet*

— The logo has been changed in line with the request to change the name to 'Pomodoro San Marzano dell'Agro Sarnese-Nocerino'.

The logo is as follows:



— The obligation to print the EU symbol on the labelling of containers and/or boxes has been introduced.

— The option of indicating the acronym 'PDO' as an alternative to the full wording 'Protected Designation of Origin' has also been included.

'Protected designation of origin (PDO);'

has been replaced as follows:

'The wording "Protected designation of origin (PDO)" and/or its acronym "PDO";'

— The following sentence of point 4.8 has been deleted:

‘Labelling shall be carried out in accordance with Legislative Decree No 109 of 27 January 1992.’

The reference to the general legislation on labelling has been deleted, as this is not part of the specific PDO rules on labelling.

8. *Legal references and inspection body updates*

Amendment to Article 9 of the product specification

The references to Regulation (EC) No 2081/1992 have been replaced with those to Regulation (EU) No 1151/2012.

References to the inspection body have been updated.

SINGLE DOCUMENT

‘Pomodoro San Marzano dell’Agro Sarnese-Nocerino’

EU No: PDO-IT-01524-AM04 — 29.12.2017

PDO (X) PGI ()

1. Name

‘Pomodoro San Marzano dell’Agro Sarnese-Nocerino’

2. Member State or Third Country

Italy

3. Description of the agricultural product or foodstuff

3.1. Type of product

Class 1.6. Fruit, vegetables and cereals, fresh or processed

3.2. Description of product to which the name in (1) applies

The product offered for sale to consumers consists exclusively of tomatoes of the S. Marzano 2 and/or KIROS (ex Cirio 3 selection) varieties, or improved strains of these, grown in the Agro Sarnese-Nocerino area and processed into ‘pelato’ (peeled tomatoes) by means of an industrial processing procedure by operators established in the area of production. The product is generally presented for sale in glass jars or tin cans.

The vines and tomatoes of the San Marzano 2 and/or KIROS varieties or improved strains of these that may be processed to produce ‘Pomodoro San Marzano dell’Agro Sarnese-Nocerino’ PDO tomatoes must fulfil the following requirements:

(1) Plant characteristics:

- plants are not subject to any height specifications, except in the case of specified types;
- foliage amply covering the fruit;
- gradual ripening;
- unripe tomatoes have ‘green shoulders’.

(2) Characteristics of fresh fruit suitable for peeling:

- (a) fruit with two or three locular cavities; typical elongated parallelepiped shape with a length of between 60 and 80 mm calculated from the stem joint to the stylar end for standard 1; elongated cylindrical shape tending towards a pyramid, with a length of between 60 and 80 mm calculated from the stem joint to the stylar end for standard 2;
- (b) angular cross-section for standard 1; rounded cross-section for standard 2;

- (c) axial ratio: no less than $2,2 \pm 0,2$ (based on the lengths of the longitudinal axis and the widest transversal mid-section axis);
- (d) no stalk;
- (e) typical red colour of the variety;
- (f) easily detachable cuticle;
- (g) small seed cavities;
- (h) pH value of no more than 4,50;
- (i) refractometric residue at 20 °C equal to or over 4,0 %;
- (j) limited presence of thickened vascular strands around the petiole (leaf stalk).

The following tolerances shall be allowed for both standards:

in point (a), slightly irregularly shaped fruit, though still typical of the variety and not making up more than 5 % of the batch; in point (d): stalks may be present on a maximum of 1,1 % of the fruit; in point (e): a maximum of 2 cm² of the surface of a fruit may be yellow, but such fruit may not make up over 5 % of the batch; in point (i) a tolerance of -0,2 is allowed for the refractive residue at 20 °C.

'Pomodori pelati interi'/'pomodori pelati a filetti' - whole peeled tomatoes/sliced peeled tomatoes:

- red colour typical of the variety, assessed visually; a maximum of 2 cm² of the surface of a fruit may be yellow, but such fruit may not make up over 5 % of the batch; - absence of extraneous odours and tastes; - absence of parasite larvae or parasite damage (necrotic spots of any size affecting the flesh of the tomatoes). Absence of internal rot along the stylar axis; - weight of drained product not less than 60 % of net weight; - cut in longitudinal segments in the case of sliced peeled tomatoes or, in the case of whole peeled tomatoes, in a whole state or at least not damaged so as to alter the shape or volume of the fruit to an extent corresponding to more than 60 % of its drained weight; - net optical refractometric residue at 20 °C equal to or over 5,0 % with a 0,2 % tolerance; - tomato peel accounting for no more than 2 cm² per 100 g on average (assessed on at least five containers). The peel content in any one container may not exceed four times this limit; - the mould content in preserved tomatoes (tomatoes and protective liquid) may not exceed 30 % of the range of products with an optical refractometric residue at 20 °C of less than 6,0 % and 40 % of the range of products with an optical refractometric residue at 20 °C equal to or over 6,0 %; - the total content of D and L lactic acids in the preserved tomatoes (tomatoes and protective liquid) may not exceed 0,4 g/kg; - the pH value must be between 4,2 and 4,5; - table salt may be added up to 3 % of net weight. (The natural chloride content is considered to be equal to 2 % of the optical refractometric residue); - basil leaves may be added; - citric acid may be added as a processing aid up to 0,5 % of the weight of the product; - also permitted is the adding of juice, part-concentrated juice and semi-concentrate obtained exclusively from tomatoes of the S. Marzano 2 and KIROS varieties, or improved strains of these, produced in the Agro Sarnese-Nocerino area.

For the preparation of the juice necessary to fill the containers, the tomatoes must be exclusively those that comply with the product specification, except for the parameters relating to size and regularity.

3.3. Feed (for products of animal origin only) and raw materials (for processed products only)

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

The growing of the tomatoes and their processing into peeled tomatoes, from the washing of the tomatoes to the sterilisation of the containers (the finished product being canned tomatoes), must take place in the defined geographical area.

3.5. Specific rules concerning slicing, grating, packaging, etc. of the product the registered name refers to

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3.6. Specific rules concerning labelling of the product the registered name refers to

The following wording must be included on the labels affixed to glass jars, tin cans and boxes into which the tomatoes are put:

- 'Pomodoro San Marzano dell'Agro Sarnese-Nocerino';
- the EU symbol;
- the wording 'Denominazione di Origine Protetta' ('Protected Designation of Origin') and/or its acronym;
- 'Pomodori pelati interi'/'Pomodori pelati a filetti' - 'whole peeled tomatoes'/'sliced peeled tomatoes';
- the name of the producer;
- the actual quantity contained in accordance with the provisions in force;
- the year when the tomatoes were picked and processed;
- the expiry date;
- the 'Pomodoro San Marzano dell'Agro Sarnese-Nocerino' PDO logo.



The wording must appear in characters of a uniform size, font and colour, grouped together in the same part of the label and presented clearly, legibly, indelibly and large enough to stand out from the background on which they are printed, so as to be clearly distinguishable from all other text and graphics.

4. Concise definition of the geographical area

To qualify for the 'Pomodoro San Marzano dell'Agro Sarnese-Nocerino' PDO, tomatoes must be produced by agricultural undertakings and processed by industrial operators in areas belonging to the following municipalities:

PROVINCE OF SALERNO:

The whole territory of the municipalities of San Marzano sul Sarno, Scafati, San Valentino Torio, Baronissi, Fisciano, Mercato San Severino, Siano, Castel San Giorgio, Roccapiemonte, Nocera Superiore, Nocera Inferiore, Sarno, Pagani, Sant'Egidio del Monte Albino and Angri.

PROVINCE OF AVELLINO:

The whole territory of the municipality of Montoro.

PROVINCE OF NAPLES:

The whole territory of the municipalities of Boscoreale, Poggioreale, Pompei, Sant'Antonio Abate, Santa Maria La Carità, Striano, Gragnano, Castellammare di Stabia, Acerra, Afragola, Brusciano, Caivano, Casalnuovo, Camposano, Castello di Cisterna, Cicciano, Cimitile, Mariglianella, Marigliano, Nola, Palma Campania, Pomigliano D'arco, Scisciano and San Vitaliano.

All the aforesaid municipalities are included in the Agro Sarnese-Nocerino area. The area covers the irrigated or irrigable lowland used as arable land.

5. Link with the geographical area

The soils in the Agro Sarnese-Nocerino area have their origins in the volcanic eruptions of Somma-Vesuvio and the surrounding pre-Appennine formations, and the resulting physical and chemical characteristics make them among the best in Italy. The Agro Sarnese-Nocerino area's climate benefits from the influence of the sea. Temperature variations are not particularly extreme: they may drop below zero occasionally, but not for long; hail is a fairly rare phenomenon. The dominant winds are the *Maestro* from the north and the *Sirocco* from the south. Rainfall is high in autumn, winter and spring, but sparse to almost non-existent in the summer. Despite the lack of rain in the summer months, the relative humidity of the air remains quite high. The area's hydrology is very rich thanks to its many springs and water tables at various depths. This combination of soil, water and climatic conditions, together with the industriousness of the farmers, provides a unique basis defining the whole of the Agro Sarnese-Nocerino plain, which is dominated to the north-west by the volcanic Somma-Vesuvio range and to the south by the dolomitic massif of the Lattari Mountains. The San Marzano tomato has a highly pronounced geographical link with its most typical surroundings, the Agro Sarnese-Nocerino. Indeed, it is in these surroundings that the San Marzano tomato originated and became most established among the area's small farmers; it is also here that the tomatoes have traditionally been processed into 'pelato' and from here that the processed product has found its way around the world to grace the tables of hundreds of millions of consumers down through the decades. According to a publication by Professor Luigi Leggieri (*I pomodori 'S. Marzano e Lampadina' nell'industria dei pelati, Orto frutticoltura Italiana [S. Marzano and Lampadina tomatoes in the peeled tomato industry, Fruit and vegetable growing in Italy]*, December 1940), the 'S. Marzano' variety was isolated from tomatoes grown in the Fiano district, between Nocera Inferiore and Sarno, and later cultivated in San Marzano sul Sarno, under more favourable environmental conditions. With the development of the S. Marzano variety, the peeled tomato industry started to take off to the extent of becoming 'the pride of Campania', as Professor Ferruccio Zago writes in his book *'Nozioni di Orticoltura' [An introduction to horticulture]* (1934, Rome, Poligrafica R. Filippini): 'The peeled tomato industry is the pride of Campania. The variety of tomato used is known by the name of San Marzano, also called "the long tomato" on account of its shape, and is extensively cultivated in the Agro Sarnese-Nocerino area.'

Reference to publication of the specification

(the second subparagraph of Article 6(1) of this Regulation)

The Ministry launched the national objection procedure with the publication of the proposal for amending the 'Pomodoro S. Marzano dell' Agro Sarnese Nocerino' PDO in the Official Gazette of the Italian Republic No 268 of 16 November 2017.

The consolidated text of the product specification can be consulted on the following website:
<http://www.politicheagricole.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/3335>
