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⁽¹⁾ Text with EEA relevance

III

(Preparatory acts)

EUROPEAN CENTRAL BANK

OPINION OF THE EUROPEAN CENTRAL BANK

of 3 March 2016

on a proposal for a regulation amending Regulation (EU) No 575/2013 as regards exemptions for commodity dealers

(CON/2016/10)

(2016/C 130/01)

Introduction and legal basis

On 12 January 2016 the European Central Bank (ECB) received a request from the Council of the European Union for an opinion on a proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 575/2013 as regards exemptions for commodity dealers (¹) (hereinafter the 'proposed regulation'). On 8 February 2016, the ECB was consulted on the same proposal by the European Parliament.

The ECB's competence to deliver an opinion is based on Articles 127(4) and 282(5) of the Treaty on the Functioning of the European Union since the proposed regulation contains provisions falling within the ECB's fields of competence, in particular in connection with the European System of Central Bank's task pursuant to Article 127(5) of the Treaty to contribute to the smooth conduct of policies pursued by the competent authorities relating to the stability of the financial system.

In accordance with the first sentence of Article 17.5 of the Rules of Procedure of the European Central Bank, the Governing Council has adopted this opinion.

1. General observations

- 1.1 The objective of the proposed regulation is to ensure that commodity dealers (investment firms whose main business consists exclusively of the provision of investment services or activities in relation to the financial instruments set out in points 5, 6, 7, 9 and 10 of Section C of Annex I to Directive 2004/39/EC of the European Parliament and of the Council (²) and to whom Council Directive 93/22/EEC (³) did not apply on 31 December 2006) do not become subject to all requirements contained in Regulation (EU) No 575/2013 of the European Parliament and of the Council (⁴) concerning large exposures and own funds on 1 January 2018 without a conscious and informed decision that such treatment is appropriate for them.
- 1.2 While the large exposures and own funds requirements of Regulation (EU) No 575/2013 do not seem to be tailor-made for commodity dealers, a decision to extend the exemptions from these prudential requirements should take into consideration any potential systemic risks posed by commodity dealers. Such risks could stem from a number of sources, in particular:
 - the total amount of leverage,
 - the stability of capital structures,
 - linkages with the banking system through debt and connected default rates,

⁽¹⁾ COM(2015) 648 final.

⁽²⁾ Directive 2004/39/EC of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments amending Council Directives 85/611/EEC and 93/6/EEC and Directive 2000/12/EC of the European Parliament and of the Council and repealing Council Directive 93/22/EEC (OJ L 145, 30.4.2004, p. 1).

⁽³⁾ Council Directive 93/22/EEC of 10 May 1993 on investment services in the securities field (OJ L 141, 11.6.1993, p. 27).

⁽⁴⁾ Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1).

- engagement in shadow-banking activities (e.g. securitisation of receivables or inventories),
- the possibility of spillover effects to other firms in financial distress which could be caused by defaults in derivatives positions, in particular speculative over-the-counter derivatives positions which are not centrally cleared, but also by adverse movements in the underlying, causing mark-to-market losses on futures positions that exceed the mark-to-market gain on the inventory held as collateral, with the consequence that the counterparty must be paid the variation margin.
- 1.3 The ECB has so far not identified any concrete indications of systemic risk created by commodity dealers that would make it strictly necessary at this stage to remove the exemptions for requirements concerning large exposures and own funds that apply at present. Commodity dealers active in Europe are generally less leveraged and have more resilient capital structures than banks. They, typically, have relatively low asset-to-equity ratios and do not seem to engage in bank-like maturity and liquidity transformations. Furthermore, linkages with the banking system through debt and connected default rates seem rather limited. Direct exposure of banks to commodity dealers appears to be relatively minor, mitigating potential contagion risks. Finally, despite the considerable growth of the commodity derivatives markets over the past 15 years, there is no conclusive evidence that commodity derivatives trading has adverse effects on the wider financial system. However, a detailed impact analysis appears to be a necessary step in terms of taking the most appropriate decision regarding the removal or the temporary extension of the exemptions. In particular, consideration should be given to level playing-field issues relative to credit institutions which trade in commodities.
- 1.4 The exemptions should indeed only be of temporary nature. The European Commission is expected to present a proposal for a comprehensive review of the prudential regulation of investment firms. The rationale for, and the objective of, a temporary extension of the exemptions should be confined to the avoidance of significant regulatory changes before such a comprehensive review, which should be carried out as soon as possible.

Done at Frankfurt am Main, 3 March 2016.

The President of the ECB
Mario DRAGHI

IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

COUNCIL

COUNCIL DECISION

of 11 April 2016

appointing the members and alternate members of the Advisory Committee on Safety and Health at Work for Greece, Hungary and Sweden

(2016/C 130/02)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (1), and in particular Article 3 thereof,

Having regard to the list of candidates submitted to the Council by the Governments of the Member States,

Whereas:

- (1) By its Decision of 24 February 2016 (2), the Council appointed the members and alternate members of the Advisory Committee on Safety and Health at Work for the period from 29 February 2016 until 28 February 2019.
- (2) The governments of Greece, Hungary and Sweden have submitted further nominations for several posts to be filled,

HAS ADOPTED THIS DECISION:

Article 1

The following are appointed as members and alternate members of the Advisory Committee on Safety and Health at Work for the period ending on 28 February 2019:

I. GOVERNMENT REPRESENTATIVES

Country	Member	Alternate	
Greece	Mr Ioannis KONSTANTAKOPOULOS	Ms Aggeliki MOIROU	
		Mr Georgios GOURZOULIDIS	
Sweden	Ms Erna ZELMIN-EKENHEM	Ms Boel CALLERMO	
		Ms Anne-Sofie DALENG	

⁽¹⁾ OJ C 218, 13.9.2003, p. 1.

⁽²⁾ Council Decision of 24 February 2016 appointing the members and alternate members of the Advisory Committee on Safety and Health at Work (OJ C 79, 1.3.2016, p. 1).

II. TRADE UNION REPRESENTATIVES

Country	Member	Alternate
Greece	Mr Ioannis ADAMAKIS	Mr Andreas STOIMENIDIS
		Mr Alexandros KOMINIS
Hungary	Mr Károly GYÖRGY	
Sweden	Ms Christina JÄRNSTEDT	Ms Karin FRISTEDT
		Ms Elise-Marie DONOVAN

III. EMPLOYERS' REPRESENTATIVES

Country	Member	Alternate
Greece	Mr Christos KAVALOPOULOS	Ms Anastasia AVLONITOU
		Mr Antonios MEGOULIS
Hungary	Ms Ágnes BODNÁR	Ms Melinda GÁL PARRAGHNÉ
Sweden	Ms Bodil MELLBLOM	Mr Ned CARTER
		Ms Cecilia ANDERSSON

Article 2

The Council shall appoint the members and alternate members not yet nominated at a later date.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 11 April 2016.

For the Council
The President
M.H.P. VAN DAM

Notice for the attention of the data subjects to whom the restrictive measures provided for in Council Regulation (EU) No 359/2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran apply

(2016/C 130/03)

The attention of data subjects is drawn to the following information in accordance with Article 12 of Regulation (EC) No 45/2001 of the European Parliament and of the Council (1):

The legal basis for this processing operation is Regulation (EU) No 359/2011 (2).

The controller of this processing operation is the Council of the European Union represented by the Director-General of DG C (Foreign Affairs, Enlargement, Civil Protection) of the General Secretariat of the Council and the department entrusted with the processing operation is the Unit 1C of DG C that can be contacted at:

Council of the European Union General Secretariat DG C 1C — Horizontal Issues Unit Rue de la Loi/Wetstraat 175 1048 Bruxelles/Brussel BELGIQUE/BELGIË

E-mail: sanctions@consilium.europa.eu

The purpose of the processing operation is the establishment and updating of the list of persons subject to restrictive measures in accordance with Regulation (EU) No 359/2011.

The data subjects are the natural persons who fulfil listing criteria as laid down in that Regulation.

The personal data collected includes data necessary for the correct identification of the person concerned, the Statement of Reasons and any other data related thereto.

The personal data collected may be shared as necessary with the European External Action Service and the Commission.

Without prejudice to restrictions provided for in Article 20(1)(a) and (d) of Regulation (EC) No 45/2001, requests for access, as well as requests for rectification or objection will be answered in accordance with section 5 of Council Decision 2004/644/EC (3).

Personal data will be retained for 5 years from the moment the data subject has been removed from the list of persons subject to the asset freeze or the validity of the measure has expired, or for the duration of court proceedings in the event they had been started.

Data subjects may have recourse to the European Data Protection Supervisor in accordance with Regulation (EC) No 45/2001.

⁽¹⁾ OJ L 8, 12.1.2001, p. 1.

⁽²⁾ OJ L 100, 14.4.2011, p. 1.

⁽³⁾ OJ L 296, 21.9.2004, p. 16.

EUROPEAN COMMISSION

Euro exchange rates (¹) 12 April 2016

(2016/C 130/04)

1 euro =

	Currency	Exchange rate		Currency	Exchange rate
USD	US dollar	1,1396	CAD	Canadian dollar	1,4674
JPY	Japanese yen	123,44	HKD	Hong Kong dollar	8,8371
DKK	Danish krone	7,4434	NZD	New Zealand dollar	1,6540
GBP	Pound sterling	0,79840	SGD	Singapore dollar	1,5354
SEK	Swedish krona	9,2138	KRW	South Korean won	1 302,88
CHF	Swiss franc	1,0874	ZAR	South African rand	16,7396
ISK	Iceland króna	-,, .	CNY	Chinese yuan renminbi	7,3632
NOK	Norwegian krone	9,3515	HRK	Croatian kuna	7,4890
	o .		IDR	Indonesian rupiah	14 917,84
BGN	Bulgarian lev	1,9558	MYR	Malaysian ringgit	4,4273
CZK	Czech koruna	27,030	PHP	Philippine peso	52,517
HUF	Hungarian forint	311,38	RUB	Russian rouble	75,6167
PLN	Polish zloty	4,2923	THB	Thai baht	39,943
RON	Romanian leu	4,4708	BRL	Brazilian real	4,0034
TRY	Turkish lira	3,2274	MXN	Mexican peso	20,0248
AUD	Australian dollar	1,4882	INR	Indian rupee	75,6680

 $^{(^{\}mbox{\tiny 1}})$ $\mbox{\it Source};$ reference exchange rate published by the ECB.

NOTICES FROM MEMBER STATES

List of national authorities designated according to Article 35(3) of Council Regulation (EC) No 515/97 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs and agricultural matters

(2016/C 130/05)

Member State	Organisation Name
AT	Risiko-, Informations- und Analysezentrum
BE	Douane
BG	Агенция 'Митници'
CY	Τελωνειο Λαρνακας Τελωνειο Λεμεσου Τελωνειο Λευκωσιας Τελωνειο Παφου Τομεας Διερευνησεων Αρχιτελωνειο Τμημα Τελωνειων Τομεας Πληροφοριων και Αναλυσης Κινδυνου Αρχιτελωνειο
CZ	General Directorate of Customs
DE	Zollkriminalamt
DK	SKAT
EE	Teabeosakond — Maksu- ja Tolliamet
ES	Departamento de Aduanas e II.EE.
FI	Tulli, Valvontaosasto
FR	Direction nationale du renseignement et des enquêtes douanières
GR	Διεύθυνση Στρατηγικής Τελωνειακών Ελέγχων και Παραβάσεων
HR	Sustav upravljanja rizicima
HU	Nemzeti Adó- és Vámhivatal Központi Irányítás Rendészeti Főosztály
IE	Customs Division, Risk Management Unit, Intelligence Support Unit, Mutual Assistance Unit, Central Intelligence & Drugs Law Enforcement, National Drugs Team
LT	Muitinės kriminalinė tarnyba Vilniaus teritorinė muitinė Kauno teritorinė muitinė Klaipėdos teritorinė muitinė
LU	Service analyse de risques
LV	Latvijas Republikas Valsts ieņēmumu dienests, Muitas pārvalde, Latvijas Republikas Valsts ieņēmumu dienests, Muitas policijas pārvalde
MT	Dipartiment tad-Dwana — Malta



Member State	Organisation Name
NL	Douane Informatie Centrum
PL	Izba Celna w Katowicach
PT	Direcção de Servicos Antifraude Aduaneira
RO	Agenția Națională de Administrare Fiscală — Direcția Generală a Vămilor
SE	Tullverket
SI	Finančna uprava Republike Slovenije
SK	Kriminálny úrad finančnej správy Slovenskej republiky
UK	BF Intelligence & Analytics Team RIS A&I HM Revenue & Customs UK HMRC NCU UK Border Force BFNIH RIS OPS Felixstowe Dover Project Tiger Intelligence Bureau London Southampton
European Commission	DG OLAF

V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.7858 — INEOS/parts of Celanese)

(Text with EEA relevance)

(2016/C 130/06)

- 1. On 1 April 2016, the Commission received a notification of a proposed concentration pursuant to Article 4 and following a referral pursuant to Article 4(5) of Council Regulation (EC) No 139/2004 (¹) by which INEOS Europe AG (INEOS', Switzerland) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of parts of Celanese Sales Germany GmbH ('Celanese', Germany), namely Celanese's European n-butyl acetate Business ('CBB', Germany) by way of purchase of assets.
- 2. The business activities of the undertakings concerned are:
- for INEOS: a manufacturer of petrochemicals, specialty chemicals and oil products globally,
- for Celanese: active in the manufacture and supply of a variety of chemical products such as intermediate chemistry (e.g. n-butyl acetate, acetic acid), emulsion polymers (e.g. vinyl acetate copolymers), food ingredients (e.g. acesulfame potassium) and engineered materials (e.g. thermoplastic polyesters), commercialised in the EEA, the Middle East, North Africa and Russia,
- for CBB: comprises the existing n-butyl acetate commercial contracts with customers in the EEA, with the exclusion of manufacturing assets.
- 3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.
- 4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (+32 22964301), by email to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference M.7858 — INEOS/parts of Celanese, to the following address:

European Commission Directorate-General for Competition Merger Registry 1049 Bruxelles/Brussel BELGIQUE/BELGIË

⁽¹⁾ OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

Prior notification of a concentration

(Case M.7941 — Saint-Gobain Glass France/Corning/JV)

(Text with EEA relevance)

(2016/C 130/07)

- 1. On 6 April 2016, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 (1) by which Compagnie de Saint-Gobain SA (France) and Corning Incorporated (United States of America) acquire within the meaning of Article 3(1)(b) and Article 3(4) of the Merger Regulation joint control of a newly created company constituting a joint venture.
- 2. The business activities of the undertakings concerned are:
- for Saint-Gobain: innovative materials (including flat glass), construction products, and building materials distribution,
- for Corning: speciality glass, ceramics, and optical physics for use in a wide range of industries. Corning's main areas of activity are flat glass for display and cover applications for use in consumer electronics; optical fibre, cable, hardware and related equipment for communication networks; vessels for drug research and discover applications in the life sciences industry; pharmaceutical tubing; ceramic filters and substrates to reduce emissions from combustible engines; and advanced glass technologies for new applications,
- for the JV: the development, manufacture and commercialisation of innovative laminated lightweight glazing solutions for the automotive industry which will include at least one layer of thin glass having an aluminosilicate composition.
- 3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.
- 4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (+32 22964301), by email to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number M.7941 — Saint-Gobain Glass France/Corning/JV, to the following address:

European Commission Directorate-General for Competition Merger Registry 1049 Bruxelles/Brussel BELGIQUE/BELGIË

Prior notification of a concentration (Case M.7959 — APG/DV4/QDREIC/JV) Candidate case for simplified procedure (Text with EEA relevance)

(2016/C 130/08)

- 1. On 5 April 2016, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 (¹) by which the undertakings APG Strategic Real Estate Pool ('APG', the Netherlands), DV4 Limited ('DV4', British Virgin Islands), and Qatar Diar Real Estate Investment Company ('QDREIC', Qatar), wholly owned by the Qatar Investment Authority, acquire within the meaning of Article 3(4) of the Merger Regulation joint control over a newly created joint venture active in the real estate sector in Greater London ('JV', United Kingdom) by way of purchase of shares.
- 2. The business activities of the undertakings concerned are:
- for APG: depositary for an investment fund whose ultimate beneficial owner is Stichting Pensioenfonds ABP, a pension
 administration organisation that specialises in the field of collective pensions in the public sector,
- for DV4: real estate investment fund,
- for QDREIC: real estate investment and development company,
- for the JV: ownership, development, management and rental of residential real estate at sites adjacent to the Elephant & Castle rail station and the Olympic Park, in Greater London.
- 3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004 (²) it should be noted that this case is a candidate for treatment under the procedure set out in this Notice.
- 4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (\pm 32 22964301), by email to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number M.7959 — APG/DV4/QDREIC/JV, to the following address:

European Commission Directorate-General for Competition Merger Registry 1049 Bruxelles/Brussel BELGIQUE/BELGIË

⁽¹⁾ OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

⁽²⁾ OJ C 366, 14.12.2013, p. 5.

OTHER ACTS

EUROPEAN COMMISSION

Publication of an amendment application pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs

(2016/C 130/09)

This publication confers the right to oppose the application pursuant to Article 51 of Regulation (EU) No 1151/2012 of the European Parliament and of the Council (¹).

APPLICATION FOR APPROVAL OF AN AMENDMENT TO THE PRODUCT SPECIFICATION OF PROTECTED DESIGNATIONS OF ORIGIN/PROTECTED GEOGRAPHICAL INDICATIONS WHICH IS NOT MINOR

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

'NOIX DE GRENOBLE'

EU No: FR-PDO-0217-01295 — 29.12.2014

PDO(X)PGI()

1. Applicant group and legitimate interest

Comité interprofessionnel de la Noix de Grenoble (CING) Les Colombières 38160 Chatte FRANCE

Tel. +33 476640664 Fax +33 476640740

Email: cing@aoc-noixdegrenoble.com

CING is an association established under the law of 1 July 1901. It consists of approximately 1 000 operators (involved in production, transport, packaging) and has a legitimate interest in submitting this application.

2. Member State or Third Country

France

3.	Heading	in the	product	specification	affected b	y the	amendment(s)
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- □ Name of product
 ☒ Description of product
 ☒ Geographical area
 ☒ Proof of origin
 ☒ Production method
- □ Link
- ⊠ Labelling
- Model of Contact Metalls of the inspection bodies, other drafting changes

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

4. Type of amendment(s)

- ☐ Amendment to the product specifications 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.

5. Amendment(s)

Product description

Additional organoleptic attributes of the 'Noix de Grenoble', which derive from organoleptic analyses carried out on this designation of origin since 1997 and characterisation research performed by the University of Suze-la-Rousse, are listed below:

- a firm and fleshy kernel,
- pale-coloured to light brown in colour,
- a note of bitterness in the taste and aroma of fresh bread and hazelnut.

Geographical area

The steps which must be carried out in the area have been determined: all stages from the production of the nuts to their packaging.

The geographical area has been extended to include an additional municipality in the Department of Drôme, namely Saint-Donat-sur-l'Herbasse, which is contiguous with the geographical area, based on an expert opinion which revealed that this municipality meets the demarcation criteria that characterise the geographical area of this designation. The following criteria relating to natural factors include: a predominantly continental climate, altitudes below 600 m, soil suitable for cultivating walnut trees, continuity with the geographical area. Criteria relating to human factors include the following: a well-developed nut cultivation industry that is a notable part of the land-scape, links with cultivation of the 'Noix de Grenoble', growing methods and post-harvest treatment of fruit, similar to those used in the geographical area.

The specifications originally referred to a geographical area consisting of 257 municipalities. This figure was incorrect. The geographical area of the designation of origin 'Noix de Grenoble' was initially described only in terms of cantons in the text defining the designation. However, cantons change regularly, as do their boundaries: Some municipalities that were originally part of the cantons that make up the geographical area have subsequently not been recognised. Detailed work based on the historical cantons has made it possible to deduce that the area, which has remained unchanged since the initial registration in 1996, comprises 260 municipalities (plus the municipality cited above) now listed in the specification.

The parcel identification procedure mentioned in the section 'method of production' (in place since 1996 for the PDO 'Noix de Grenoble'), which aims to ensure that the parcels used meet the criteria for their location, is described in more detail in this section.

Proof of origin

Owing to developments in national legislation and rules, the text under the heading 'Evidence that the product originates from the defined geographical area' has been consolidated to bring together provisions on declaration requirements and the keeping of registers for tracing products and monitoring production conditions.

In this context, operator licences will be introduced which recognise the ability of operators to meet the requirements of the designation they wish to benefit from and which are issued by a control body approved and accredited by the INAO. Licensing and inspections of the specification for the PDO 'Noix de Grenoble' are organised in accordance with an inspection plan drawn up by the inspection body.

Historical aspects have been moved to the section 'Links to the origin' (of the specification).

Method of production

— Pollinator varieties:

In order to regulate the presence of pollinating varieties, it is stated that 5 % of trees of pollinator varieties will be included in orchards. Fruit from these trees are not covered by the designation of origin.

— Planting density:

In order to improve this provision, the possibility for young trees (less than 12 years old) to have a density greater than 100 trees/ha has been removed. The method for calculating the minimum area per tree has also been specified: The minimum area of 100 m^2 per tree is calculated by multiplying the distances between rows and the space between trees.

— Intercropping:

In order to ensure that the management of orchards is based on the needs of the walnut trees, it is stated that intercropping will only be allowed until the fifth year after planting (i.e. before the walnut trees begin producing).

— Grassing:

The presence of grass on the ground at the time when fallen mature nuts are harvested, in autumn, is a positive factor in terms of the quality of the finished product (health, colour of the kernels). The following provision is therefore added, requiring the presence of grass in irrigated orchards:

'In irrigated orchards, the presence of grass sown or not is mandatory from 1 September each year, starting from the sixth year after planting. This vegetation may be broken in spring.'

This provision was introduced solely for irrigated orchards, where grass does not compete with trees for water. Grass growth is not possible in the driest sectors.

— Pruning:

Up to the age of approximately 10 years, trees undergo shape pruning.

The aim of pruning carried out thereafter is to maintain sufficient growth each year and to allow ample light to reach fruit-growing areas, bearing in mind that the fruit buds in traditional varieties are located at the end of one-year shoots.

Carried out regularly, this avoids undersized walnuts from developing, and promotes better tree health. The aim is to fully remove branches or parts of branches (sprouts for example) to allow more light to reach the crown. These are limited pruning activities.

'Taille d'élagage', which refers to generally heavy pruning that removes entire branches or to extensive cutting back, is not appropriate for walnut cultivation. Maintenance pruning or fructification pruning is more appropriate.

'Taille d'élagage' has thus been replaced by 'maintenance pruning':

'Walnut trees undergo maintenance pruning at least once every three years'.

— Irrigation:

Irrigation is used to regulate production levels and to obtain high-quality nuts that meet market requirements.

During the growing season, the walnut passes through different stages of development, during which a shortage of water may jeopardise the current harvest (in terms of quantity and quality), the subsequent years' harvests and the lifetime of the orchard.

Insufficient water in June endangers the size of fruits and vegetative growth. Drought in July will have a negative effect on the formation of fruiting buds (for the following year's harvest) and kernels (the quality of the current harvest). Finally, insufficient irrigation in August and September harms the quality of the kernel and inhibits the proper lignification of that year's branches. In addition, a prolonged drought causes insufficient uptake of the nutrients necessary for the various parts of the tree to develop properly.

This modification therefore authorises irrigation and removes the end date of irrigation, as it is precisely late irrigation that prevents the deterioration in kernel quality.

'Irrigation is permitted during the tree's growing period and until the harvest, in order to avoid wilting of the kernels and guarantee the final quality of the nuts.'

Irrigation of the foliage is still forbidden, among other things due to its inefficiency and high water use.

— Inputs:

Since walnuts are harvested from the ground, the use of organic matter of non-agricultural origin is regulated. Consequently, a provision has been added to the specification. Any use of organic material must be closely analysed, and the material must be buried immediately.

The use of growth regulators remains prohibited. It is further clarified that ripeners are prohibited.

— Harvesting:

The rules for setting a harvest date which ensures the optimal ripeness of the walnuts have been laid down as follows: the ideal maturity of the nuts means that the harvest takes place when the kernel is firm and easily peeled. In addition, the internal central partition is completely brown for 80 % of the nuts of the orchard in question.

It is also specified that the Director of the INAO, as the competent authority, sets a (collective) date for commencing the harvest, based on a proposal from the group issued after the maturity of the nuts has been studied.

— Yield:

In order to enable checks to be carried out concerning product traceability and production volume, a provision concerning a farm's average maximum yield per hectare, based on the potential walnut production in that area, has been added: 'The average net yield of the orchards of the farm is limited to 4 tonnes of dried walnut equivalent per hectare.'

— Post-harvest storage:

Since this stage is very important for the final quality of the nuts, the relevant provisions have been clarified.

The following provision has therefore been added: 'For freshly harvested nuts that are due to be dried, drying must begin as soon as possible and at the latest 36 hours after harvesting.'

— Drying:

Drying walnuts: a practical guide/CTIFL — September 1993', specifies that a maximum drying temperature of 30 °C is compatible with the most easily spoiled nut varieties. This allows rapid and effective drying of the nuts without affecting their quality.

It is also specified that the maximum drying temperature is 30 °C.

— Storage of the nuts:

The following provisions are added: 'Fresh walnuts are stored at sorting, sizing and packaging companies at a temperature ranging from 1 to 5 °C and at a humidity of between 80 and 95 %.

Dry walnuts are stored before packaging at a temperature not exceeding 8 °C and an air humidity ranging between 60 and 75 %, from 31 March of the year following the harvest.'

These provisions allow the nuts to be stored while preserving their organoleptic and bacteriological qualities.

— Packaging:

In order to improve preservation of the walnuts' characteristics, provisions have been introduced concerning the organisation of sorting and packaging, the maximum size and type of packaging, and deadlines for dispatching the walnuts covered by the designation of origin outside the geographical area.

It is specified that 'sorting and packaging are to be carried out on the same site and as one process, without intermediate storage.' Carrying out these steps as one process makes it possible to avoid the repeated handling of fruit, which causes walnuts to split and break open.

'The materials used to package the nuts must be new and clean and of a quality such as to avoid causing any external or internal deterioration of the product.'

'Dry walnuts may be packed in batches weighing a maximum of 25 kg.

Fresh walnuts may be packed in batches weighing a maximum of 10 kg.

Only packaging in aerated bags and/or on open pallets is permitted for fresh walnuts.'

'Walnuts may only be placed on the market with the designation of origin "Noix de Grenoble", at the latest:

- for fresh walnuts: 2 months after the date on which the harvest began,
- for dry walnuts, 31 December of the year following that of the harvest.'

It is also confirmed that walnuts no longer in their original packaging may not be marketed, a provision which has applied for many years in the sector.

— Quality of walnuts:

Despite the attention devoted to sorting and sizing, there may still be some non-compliant fruit in packaged batches. It is also specified that the following are accepted:

- up to 5 % in number of walnuts in shell may belong to other varieties than those permitted in the designation of origin,
- up to 5 % in number of walnuts in shell with a size of less than 28 mm,

without this representing more than 7 % of the total.

In order to ensure the quality benchmarks for production, the product specification of the PDO 'Noix de Grenoble' has integrated the quality benchmarks for category I of the UNECE standard on the marketing of walnuts in shell.

The specifications also establish a restriction against a permitted cumulative number of defective nuts per consignment so that defects may not be assessed cumulatively.

Thus consignments of dried 'Noix de Grenoble' may not contain overall more than 10 % of nuts with defects to the shell or edible part of the nut (12 % for fresh walnuts).

— Justification for compulsory packaging in the geographical area:

To date, the 'Noix de Grenoble' have been packaged in the geographical area or in its immediate vicinity. The specifications have been clarified on this point, by explicitly introducing the requirement that the nuts be packaged in the geographical area.

The following factors justify why packaging in the geographical area is compulsory:

To preserve the final quality of the designation of origin 'Noix de Grenoble', handling of the walnuts must be limited. The shell, which protects the edible part of the walnuts, may otherwise become damaged due to the impact (nuts may split or break during emptying into hoppers).

Problems caused by repeated handling of the walnuts are a constant concern for operators in the sector. Since harvesting is mechanised, post-harvest handling must be minimised to avoid broken or split nuts.

During inspections of the product, it is not uncommon to find broken or split nuts in consignments, despite the precautions taken during grading, sorting and packaging to prevent falls from heights.

In order to limit handling of the fruit, sorting and packaging take place on the same site and as a single process, without intermediate storage.

Products are packaged in containers of a limited size (10 kg for fresh walnuts, 25 kg for dry walnuts) in order to avoid crushing.

The shipping of unpackaged nuts so that they can be packaged outside the geographical area would therefore provide additional possibilities for the nuts to become broken, split or crushed.

Another aim of packaging in the geographical area is to safeguard the nuts' physico-chemical characteristics. One must indeed devote particular attention to the conditions for storing the product:

For fresh walnuts: the nuts, which are at least 20 % water, are therefore prone to drying out. They have a limited lifetime and should not be dispatched outside the geographical area later than 2 months following the beginning of the harvest. They may not under any circumstances be converted into dry walnuts. The packaging date must be indicated on the container in order to improve consumer information. Strict temperature and humidity conditions have been laid down for the storage of these nuts on operators' premises: temperature of between 1 and 5 °C and humidity of between 80 and 95 %.

For dry walnuts: these have a different composition, as their moisture content is a maximum of 12 %; nevertheless, their lipid (fatty acid) content (up to 66 %) must be emphasised. Poor storage may lead to their becoming oxidated, i.e. rancid. For this reason, sorting and packaging companies must, after 31 March, (when temperatures begin to rise again) keep dry walnuts at a temperature no higher than 8 °C and at a humidity ranging from 60 to 75 %. The product also has a limited lifespan, since dry walnuts can only be shipped outside the area until 31 December following the harvest.

These criteria can only be accurately verified by means of close monitoring of sorting and packing companies located within the geographical area. Furthermore, the inspection of consignments of packed nuts makes it possible to ensure compliance with the storage requirements for the walnuts.

If carrying out packaging in the geographical area was not compulsory this would also cause problems in terms of inspection and traceability.

Nuts are fungible products. The risk of confusion between varieties is heightened by the oblong shape of the Franquette variety, produced mainly in the geographical area, which lends itself to being easily confused with walnuts produced in other geographical areas. In order to avoid confusion, the know-how of local operators is essential in inspecting varietal purity. In addition, the designation 'Noix de Grenoble', which has existed since 1938, has a strong reputation and has already fallen victim to international fraud (Canada, USA, etc.). The possibility of packaging or repackaging outside the geographical area of the 'Noix de Grenoble' PDO would simply lead to growth of such fraud.

Packaging in the geographical area makes it possible to carry out checks on the characteristics of packaged walnuts. Labels bearing the words 'Noix de Grenoble', which are distributed by the applicant group to any operator that meets the conditions of the specifications, are affixed to the containers. The applicant group records the amount of production marketed under the PDO 'Noix de Grenoble'. This system, which has been in place since 1968, provides an additional guarantee that products will not be substituted with others prior to marketing. 'Noix de Grenoble' are presented for sale to consumers in their original packaging.

Labelling:

More accurate information is contained on the labelling in order to provide better consumer information.

The requirement to include the words 'Appellation d'origine contrôlée' (registered designation of origin) or 'AOC' on the label has been removed.

Referring to fresh walnuts as 'early walnuts' in line with the situation that already exists in the market for such products, is envisaged.

Labels must bear the European Union PDO symbol.

As has been the case since 1968, a specific sticker is affixed on the labelling of 'Noix de Grenoble'.

The application group provides an unlimited quantity of these stickers to any operator who complies with the specification. They are bright red (colour reference: Pantone 032) and have a minimum diameter of 3 cm for all packages.

In order to improve consumer information, the labelling must also specify:

- the name and address or code mark of the packer and/or dispatcher,
- the year of harvest,
- the date of packing, optional for dry walnuts and mandatory for fresh walnuts,

— in the case of fresh walnuts, either of the following instructions:

'To be consumed quickly; best stored in a cool place'

or

'Very limited shelf life; store in a cool place'.

Other

Product description:

Precise information designed to better describe the product, which was already in the section 'Method of production', has been moved to this section:

- addition of the names of local endemic varieties used: Franquette, Mayette and Parisienne,
- the categories 'dry walnuts' and 'fresh walnuts', with their respective moisture content (minimum 20 % for fresh walnuts and maximum 12 % for dry walnuts) are specified.

Method of production: Varieties and orchards:

Since the section entitled 'Geographical area' refers to the obligation for fruit to originate from orchards identified as being within the geographical area, clarification of this has been deleted from this section.

Link with the geographical area

This part has been arranged in three subparts and has been clarified.

References to the inspection body:

The contact details of the authority responsible for carrying out checks are given instead of the details of the control body, so as to avoid having to change the specifications should the latter change.

National requirements:

In the light of changes to national legislation and rules, the 'National requirements' heading now contains a table indicating the main items to be checked, their reference values and the evaluation methods to be used.

SINGLE DOCUMENT

'NOIX DE GRENOBLE'

EU No: FR-PDO-0217-01295 — 29.12.2014

PDO(X)PGI()

1. Name(s)

'Noix de Grenoble'

2. Member State or Third Country

France

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 the product to which the name in (1) applies

Walnuts that may bear the designation 'Noix de Grenoble' are walnuts in shell from one or more of the following varieties: Franquette, Parisienne and Mayette. They are presented fresh or dry.

Fresh walnuts are fruit with a minimum diameter of 28 mm. The firm and fleshy kernel is pale-coloured to pale brown, easily peeled, and its natural moisture content is greater than or equal to 20 %.

Dry walnuts are fruit with a minimum diameter of 28 mm. The firm and fleshy kernel is pale-coloured to pale brown, easily peeled, and its natural moisture content is less than or equal to $12\,\%$.

The taste of fresh or dried walnuts is characterised by a note of bitterness and the aromas of fresh bread and hazelnut.

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

Only ripe nuts of the following varieties are used: Franquette, Parisienne and Mayette.

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

All activities, from harvesting to the final sizing and sorting of the walnuts, are carried out in the geographical area.

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

The following factors justify making packaging in the geographical area compulsory:

To preserve the final quality of the protected designation of origin 'Noix de Grenoble', handling of the walnuts must be limited, as the shell, which protects the edible part of the walnut, may be damaged by the impact (leading to split or broken nuts).

The companies operating in the sector therefore limit as much as possible any handling post-harvest. Therefore, sorting and packaging take place on the same site and as a single process, without intermediate storage.

Products are packaged in containers of a limited size (10 kg for fresh walnuts, 25 kg for dry walnuts) in order to avoid crushing.

Shipping of unpackaged nuts would otherwise provide additional possibilities for the nuts to become broken, split or crushed

Another aim of packaging in the geographical area is to safeguard the nuts' physico-chemical characteristics.

- Fresh nuts, which contain at least 20 % water, are prone to drying out. They have a limited lifetime and are therefore dispatched from the area no later than 2 months after the beginning of the harvest. Strict temperature and humidity conditions have been laid down for the storage of these nuts on the premises of sizing, sorting and packaging companies.
- Dry walnuts have a high lipid (fatty acid) content (up to 66%). Poor storage may lead to their becoming oxidated. Temperature and humidity conditions are in place for the storage of these nuts on the premises of sizing, sorting and packaging companies after 31 March. Dry walnuts can only be shipped outside the area until 31 December following the harvest.

These criteria can only be accurately verified by means of close monitoring of sorting and packing companies located within the geographical area and of packaged nuts.

If carrying out packaging in the geographical area was not compulsory this would also cause problems in terms of inspection and traceability.

Nuts are fungible products. The know-how of the local operators is essential in inspecting varietal purity. In addition, the designation 'Noix de Grenoble', which has existed since 1938, has a strong reputation and has already fallen victim to international fraud. The possibility of packaging or repackaging outside the geographical area of the 'Noix de Grenoble' PDO would simply lead to growth of such fraud.

Packaging in the geographical area makes it possible to carry out checks on the characteristics of packaged walnuts. Labels bearing the words 'Noix de Grenoble' are affixed to the containers, and on that basis the applicant group records how much is marketed. This system, which has been in place since 1968, provides an additional guarantee that these products will not be substituted with others prior to marketing. 'Noix de Grenoble' are presented for sale to consumers in their original packaging.

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

In addition to the information which must be provided by law, the labelling on individual packages must contain the following indications, placed on the same side of the package, in indelible characters, perfectly legible and visible:

- the name 'Noix de Grenoble',
- close to the name, the European Union PDO logo,
- where appropriate, the words 'fresh walnuts' or 'early walnuts' (on the packaging of fresh walnuts), or 'dry walnuts',

- the words 'protected designation of origin', written in full, may also, optionally, be printed together with or immediately alongside the name,
- All references must be printed in characters of a height and length which does not exceed that of the name of the protected designation of origin 'Noix de Grenoble',
- The numbered sticker or sub- contract number issued by the Comité interprofessionnel de la Noix de Grenoble, bright red colour (colour reference: Pantone 032) with a minimum diameter of 3 cm for all packages,
- the identity of the packer and/or dispatcher, name and address or code mark,
- the year of harvest,
- for fresh walnuts:
 - the date of packing,
 - one of the following instructions:

'To be consumed quickly; best stored in a cool place'

or

'Very limited shelf life; store in a cool place'.

4. Concise definition of the geographical area

All activities, from harvesting to packaging of the walnuts, are carried out in the geographical area, which comprises the agricultural areas of Grésivaudan, Les Chambarans and La Bièvre.

It includes a total of 261 municipalities, of which 184 in Isère, 48 in Drôme, and 29 in Savoie.

In the Department of Drôme:

All the municipalities in the cantons of Bourg-de-Péage, Romans-sur-Isère, cantons 1 and 2 of Romans-sur-Isère and Saint-Jean-en-Royans.

The canton of Le Grand-Serre: the municipalities of (Le) Grand-Serre, Montrigaud.

The canton of Saint-Donat-sur-l'Herbasse: the municipality of Saint-Donat-sur-l'Herbasse.

In the Department of Isère:

The municipalities in the following cantons: Allevard, Domène, Échirolles, Échirolles-Est, Eybens, Fontaine-Sassenage, Fontaine-Seyssinet, Goncelin, Grenoble, Le Touvet, Meylan, Pont-en-Royans, Rives, Roybon, Saint-Égrève, Saint-Étienne-de-Saint-Geoirs, Saint-Ismier, Saint-Marcellin, Tullins, Vinay, Voiron.

The canton of La Côte-Saint-André: the municipalities of (La) Côte-Saint-André, Faramans, Gillonnay, Ornacieux, Pajay, Penol, Saint-Hilaire-de-la-Côte, Sardieu,

The canton of Le Grand-Lemps: the municipalities of Apprieu, Bévenais, Colombe and (Le) Grand-Lemps.

The canton of Villard-de-Lans: the municipalities of Engins and Saint-Nizier-du-Moucherotte.

Department of Savoie:

All of the municipalities in the cantons of Montmélian and (La) Rochette.

5. Link with the geographical area

Specificity of the geographical area

Natural factors:

The geographical area comprises the agricultural areas of the Grésivaudan, the Chambarans and the Bièvre, along the Isère valley, which have specific characteristics that make them particularly suitable for the production of high-quality walnuts.

The average annual temperature of 10,5 °C at approximately 300 m altitude is ideal for achieving a full and harmonious growth cycle for walnut trees.

Average annual rainfall between 800 and 1 100 mm guarantees sufficient water supply and humidity without causing either waterlogging of the soil or extensive mist.

The cold winter period (an average of 65 days of frost in the west of the area, 100 days in the east) promotes an ideal vernalisation, which is essential for proper flowering in the spring.

Precipitation is always at its lowest during winter. This prevents the soil from becoming waterlogged in the spring, which would hamper the reactivation of the trees.

The annual temperature range (19-20 °C), characteristic of continental influences, promotes regularity in the stages of reproduction.

From August, the temperature drops by $10\,^{\circ}\text{C}$ over a period of 2 months. The fruit therefore ripen in a very uniform way, without growing further — which would be highly detrimental to the quality of the fruit and the resilience of the young branches.

The sudden fall in temperature due to the photoperiod and increased air humidity leads to fragmentation of the shells and a very rapid and homogeneous dropping of the fruit's peduncle. The reproductive cycle remains synchronised until its final phase.

Autumn is always the most rainy season, and October is, on average, the wettest month.

Human factors:

There is a long history of walnut cultivation throughout the Isère valley. Late 11th century data from the archives of Grenoble refer to fees paid in *sétiers* of nuts, and the accounts kept by castellans dating back to the 14th and 15th centuries also mention nut production.

The development of a uniform quality of production of nuts destined for sale was implemented through the mastery of grafting, which was developed from the end of the 18th century. The local landscape is strongly influenced by the presence of walnut farms and traditional dryers.

The development of production at the same time as transportation enabled the region to conquer the French market, and also the English and American markets. Before 1900, walnut producers in the village of la Rivière had already come together to consolidate their export activities to the USA.

Organisation of the profession was also aimed at promoting a high-quality product and protecting against misuse of the name 'Noix de Grenoble'. It was only in 1927, however, that the Federation of the Unions of Producers of 'Noix de Grenoble' was established, and in 1938 the designation of origin 'Noix de Grenoble' was granted (under the Decree of 17 June 1938).

Another factor in the development of walnut cultivation is the presence, from the beginning of the 20th century, of local specialised walnut nurseries in Vinay, Vif, Saint-Marcellin and later, in about 1960, in the municipality of Chatte. The preservation of this nursery know-how partially explains the relative homogeneity in the cultivation of the Noix de Grenoble. The ability to constantly reproduce specimens obtained and the uniform quality of the resulting nuts have contributed to the reputation of the Isère valley in the production of 'Noix de Grenoble'. It should also be noted that various specific tools suited to harvesting and drying nuts have been developed in the geographical area.

Besides grafting, the selection of indigenous varieties adapted to the natural factors inherent in the Isère valley is very important to local practices. The three endemic varieties which were the basis for the recognition of the Noix de Grenoble as a protected designation of origin in 1938 are the Franquette, the Mayette and the Parisienne.

The trees are arranged in orchards according to limited densities: Each tree has an area of at least 100 m^2 . Shape pruning is applied after planting. Subsequently, pruning carried out every 2 to 3 years is sufficient to allow the light to penetrate to the inside of the foliage.

The walnuts are harvested when ripe, and when the central partition is completely brown. They are promptly sorted, washed and dried; drying begins no later than 36 hours after harvesting.

Walnut drying is usually carried out using a moderately warm air flow (not more than 30 °C) through the mass of nuts to be dried or, in the case of small-scale producers, using natural drying on laths.

Once dried, the nuts are graded. Adjusting the sizing devices to the characteristics of the varieties covered by the 'Noix de Grenoble' designation of origin, which are more or less oblong, ensures that walnuts with a diameter greater than 28 mm are selected.

A final sorting of nuts makes it possible to obtain consignments in which less than 10% of fruit have defects to the shell or kernel (12% in the case of fresh walnuts), just prior to packaging in containers of a limited size, in which the nuts will be presented to the consumer, guaranteeing that they remain intact.

Specificity of the product

The 'Noix de Grenoble' have a minimum diameter of 28 mm and are presented in shell, fresh or dry. The shell is clean and healthy and does not have any defects that may adversely affect the general appearance of the product, its quality and its shelf life.

The kernel is firm and fleshy. It has a pale to pale brown colour.

The taste of fresh or dried walnuts is characterised by a note of bitterness and the aromas of fresh bread and hazelnut.

Causal link

By establishing the orchard in the Isère valley, which is blessed with a relatively humid and windy climate, it has been possible to meet the main requirements of walnut production and promote its development.

The choice of the most suitable terrains by nut producers, as well as the presence of a reliable water supply make it possible to produce regular crops of high-quality, fleshy nuts.

The falling temperatures observed from the end of August allow the fruit to ripen in a slow and uniform manner.

The rainy autumns in the Isère valley do not make harvesting easy, but this is the essential factor that guarantees the fineness of the flavour of the Noix de Grenoble. The loss of water from the kernel is slow, regular and homogeneous. This is due both to the thickness of the shell and to its high moisture level. The slowness and uniformity of this process prevents any denaturing of the reserves and in particular any rancidity in the fat.

The use of local endemic varieties (Franquette, Mayette and Parisienne) cultivated on land that is ideal for the purpose promotes the production of fruit endowed with a rich aroma.

Cultivation practices which ensure that the sun is able to penetrate the crown of the walnut trees promote optimal ripening of the fruit.

The fruit may therefore be harvested when ripe, at the end of September, starting from a date collectively determined each year after the maturity of nuts from different areas has been studied (altitude, soil, etc.).

Drying at a moderate temperature soon after the ripened nuts have been harvested, sorted and washed, makes it possible to obtain healthy and clean walnuts that have pale-coloured to light brown kernels; these are signs of remarkable quality.

The care thereafter devoted to sorting, sizing and packaging makes it possible to preserve the specific characteristics of the 'Noix de Grenoble'.

The natural characteristics of the geographical area together with the know-how of producers and shippers have made it possible to produce walnuts which have acquired a worldwide reputation.

Reference to publication of the specification

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

https://www.inao.gouv.fr/fichier/CDCNoixDeGrenoble2015.pdf



