Publication of an application for amendment pursuant to Article 17(6) of Regulation (EC) No 110/2008 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89

(2020/C 254/07)

This publication confers the right to oppose the application pursuant to Article 27 of Regulation (EU) 2019/787 of the European Parliament and of the Council [1].

APPLICATION FOR THE AMENDMENT OF THE TECHNICAL FILE OF A GEOGRAPHICAL INDICATION

'Münchener Kümmel'/'Münchner Kümmel'

EU No: PGI-DE-01992-AM01 – 28.9.2017

Language of amendment: German

Intermediary

Federal Republic of Germany

Intermediary name:

Bundesverband der Deutschen Spirituosen-Industrie und -Importeure e. V. [Federal Association of the German Spirit Drinks Industry and Importers of Spirit Drinks]

Urstadtstraße 2
53129 Bonn
DEUTSCHLAND

Tel. +49 228539940

Email: info@bsi-bonn.de

Südostbayerischer Verband der Obst- und Kleinbrenner e. V. [South-East Bavarian Association of Fruit Spirit and Small-Scale Distillers]

Werkstraße 16
84513 Töging am Inn
DEUTSCHLAND

Tel. +49 8631185861

Email: info@obstbraende-bayern.de

Name of the geographical indication

'Münchener Kümmel'/'Münchner Kümmel'

Specification headings affected by the amendment

Protected name:	1. synonymous spelling of designation
Other:	2. change of category

Names and addresses of control authorities: 3. deletion of personal data

Amendment

Amendment to the product specification entailing an amendment of the main specifications

Explanation of the amendment

1. Synonymous spelling of designation

In addition to the geographical indication 'Münchener Kümmel' registered in Annex III to the EC Regulation, the amendment concerns the designation 'Münchner Kümmel' (without the first 'e') as an optional synonymous geographical indication. Both spellings should be authorised. The spelling without the first 'e' derives from the way in which the name is commonly pronounced.

[1] OJ L 130, 17.5.2019, p. 1.

2. Change of category

The most important amendment concerns Section 1.1.2 of the technical file (Category), namely the fact that the classification of '*Münchener Kümmel/Münchner Kümmel*' is to be changed from category No 32 ('Liqueur') in Annex II to Regulation (EC) No 110/2008 (the Basic Spirit Drinks Regulation) to category No 23 ('Caraway-flavoured spirit drinks').

In Section 1.1.2 category No '32. Liqueur' has simply been changed to category No '23. Caraway-flavoured spirit drinks'. As all products will continue to be rounded off with sugar, but a wider range of products of varying sweetness will be offered, no minimum sugar content is being set. Moreover, the plan to offer products with a sugar content of less than 100 g per litre of finished product is in line with the German Government's strategy to reduce the sugar content of finished food products in the future. It will of course still be possible to market products with a sugar content of at least 100 g per litre of finished product. The proposed change of category will therefore not entail any further amendments to the technical file.

The registered geographical indication '*Münchener Kümmel/Münchner Kümmel*' is currently listed in category No 32 ('Liqueur') in Annex III to the Basic Spirit Drinks Regulation. This is due mainly to Regulation (EEC) No 1576/89 (the first Basic Spirit Drinks Regulation), in which the geographical designation '*Münchener Kümmel/Münchner Kümmel*' had, for legal reasons, to be classified as a 'liqueur' in the then Annex II.

Traditionally, '*Münchener Kümmel/Münchner Kümmel*' was marketed with a relatively high sugar content, in some cases of more than 100 g per litre of finished product. Under the classification system of the first basic Regulation on spirit drinks, any spirit drink with a sugar content of at least 100 g per litre of finished product was, in legal terms, automatically considered to be a 'liqueur', including those produced using the production method for a '*caraway-flavoured spirit drink*'. The product category '*caraway-flavoured spirit drink*' was established in Article 1(4)(n) of Regulation (EEC) No 1576/89 and is now listed as category No 23 in Annex II to Regulation (EC) No 110/2008.

Regulation (EC) No 110/2008 created for the first time the possibility for products sold under a generic sales denomination and meeting the requirements of more than one product category to be marketed by suppliers of spirit drinks under one or more sales names (see Article 9(3) of that Regulation).

In order to prevent a product previously marketed as '*Münchener Kümmel/Münchner Kümmel*' from being excluded when Regulation (EEC) No 1576/89 became applicable on 15 December 1989, the German Government had decided to classify the product in the category 'Liqueur'. During the discussions held in 2006 and 2007 on the amendment of the Spirit Drinks Regulation, the German Government did not take the new opportunity provided for in Article 9(3) of Regulation (EC) No 110/2008 to classify '*Münchener Kümmel/Münchner Kümmel*' in product category 23 of Annex II to that Regulation.

Caraway liqueurs are generally produced by simple mixing of alcohol, usually ethyl alcohol of agricultural origin, with sugar and flavouring substances or preparations. A '*caraway-flavoured spirit drink*', by contrast, is produced by flavouring ethyl alcohol of agricultural origin with natural caraway seeds using various flavouring methods. In the case of a '*caraway-flavoured spirit drink*', the most important flavouring methods consist in the maceration of caraway seeds over a certain period of time or in maceration with subsequent distillation.

Moreover, the traditional name '*Münchener Kümmel/Münchner Kümmel*' is itself an indication that the product is a '*caraway-flavoured spirit drink*', i.e. a product of category No 23 of Annex II, and not a '*caraway liqueur*' within the meaning of category No 32 of that Annex.

3. Deletion of personal data

This amendment concerns Section 12 of the main specifications. The personal data of the highest *Land* authority responsible for verifying compliance with the product specification (in accordance with Article 38 of Regulation (EU) 2019/787) has been deleted from that section.

MAIN SPECIFICATIONS OF THE TECHNICAL FILE

'MÜNCHENER KÜMMEL/MÜNCHNER KÜMMEL'

EU No: PGI-DE-01992-AM01 – 28.9.2017

1. **Name**

'Münchener Kümmel/Münchner Kümmel'

2. **Category of spirit drink**

Category 23. Caraway-flavoured spirit drink

3. **Description of the spirit drink**

'*Münchener Kümmel/Münchner Kümmel*' is produced in the city of Munich and the rural districts of Munich, Freising, Erding and Ebersberg by flavouring ethyl alcohol of agricultural origin with caraway seeds (*Carum carvi* L.) and possibly other flavour-imparting ingredients.

Specific characteristics (compared with spirit drinks of the same category)

Minimum alcoholic strength of 32 % vol., higher than that laid down for the product category. Consequently, the caraway aroma is more pronounced in terms of smell and taste.

In addition to caraway (seeds), only other natural flavour-imparting ingredients such as herbs or spices, including natural flavouring substances and preparations, may be used.

Food additives, e.g. colourings, are not used.

Physical, chemical and/or organoleptic characteristics

In terms of its physical, chemical and organoleptic characteristics, '*Münchener Kümmel/Münchner Kümmel*' must meet the following requirements:

Physical and chemical requirements

Alcoholic strength:	at least 32 % vol.;

Sensory requirements

Clarity:	clear;
Colour:	colourless or slightly yellowish;
Odour (aroma):	discreet, i.e. delicate and mild, to strong smell of caraway;
Taste:	mild, balanced, with a discreet to strong caraway aroma.

4. **Geographical area concerned**

'*Münchener Kümmel/Münchner Kümmel*' is made in the city of Munich and in the rural districts of Munich, Freising, Erding and Ebersberg.

The caraway seeds used and the other ingredients, e.g. ethyl alcohol of agricultural origin and sugar, no longer have to come from Munich or the surrounding area.

5. **Method for obtaining the spirit drink**

The production of '*Münchener Kümmel/Münchner Kümmel*' involves several steps:

The first production step is to mix caraway seeds and possibly other flavour-imparting ingredients, including natural flavouring substances and preparations, with ethyl alcohol of agricultural origin and, depending on the recipe, with water.

The aroma-extraction process is usually followed by storage and/or maturing in suitable containers.

After the storage or maturation stage, the production process is completed. This comprises:

— mixing stored or matured herbal extracts with ethyl alcohol of agricultural origin;

— sweetening with sugar or other sweetening products in varying quantities, depending on whether the flavour of the product version marketed is to be sweeter or less sweet;

— reduction of the sweetened mixture to drinking strength by adding water;

— filtration (where necessary); and

— labelling and packaging.

6. **Link with the geographical environment or origin**

There is evidence that '*Münchener Kümmel/Münchner Kümmel*' has been produced in the greater Munich area since the early 19th century, as it still is.

White-flowered caraway plants (*Carum carvi* L.) used to grow wild on meadows in the greater Munich area. Caraway is now grown as a crop throughout Germany and in neighbouring EU Member States, from where it is sourced for the production of '*Münchener Kümmel*/*Münchner Kümmel*'.

In Bavarian and, more particularly, Munich cuisine, which includes some hearty dishes such as *Schweinshaxen* [roasted pork knuckle], *Schweinsbraten* ('*Münchener Kümmelbraten*') [roast pork with caraway], caraway is also important, in particular as a culinary spice. It aids digestion and prevents flatulence after *sauerkraut* and other types of cabbage have been eaten as part of a meal. Alcohol is known for being a solvent that can be used to extract constituents from plants in a particularly intensive manner. '*Münchener Kümmel*/*Münchner Kümmel*' thus evolved as a *digestif*.

'*Münchener Kümmel*/*Münchner Kümmel*' is also listed in the Bavarian Ministry of Food, Agriculture and Forestry's specialities database at www.spezialitaetenland-bayern.de. The database contains only products which have been produced in the region for at least 50 years, have a history demonstrating a close link between the product and the region, and are perceived by consumers as being typically Bavarian or typical of a region within Bavaria.

Under several bilateral agreements between the Federal Republic of Germany and certain countries on the mutual protection of geographical indications, '*Münchener Kümmel*/*Münchner Kümmel*' has been protected as an indication of geographical origin in countries including France, Spain, Greece and Switzerland since the 1960s.

The Council, in cooperation with the European Parliament, recognised '*Münchener Kümmel*/*Münchner Kümmel*' as a geographical designation when it adopted Regulation (EEC) No 1576/89, the first European Spirit Drinks Regulation. The Council and the European Parliament confirmed this protected status when they adopted Regulation (EC) No 110/2008, the second European Spirit Drinks Regulation.

7. **European Union or national/regional provisions**

'*Münchener Kümmel*/*Münchner Kümmel*' is registered in Annex III to Regulation (EC) No 110/2008 (the Spirit Drinks Regulation) and is therefore protected as a geographical indication. The product must also comply with the requirements of horizontal EU food law, product-specific EU spirit drinks legislation and supplementary national law (e.g. the requirement to indicate the batch number under the Batch Identification Regulation).

8. **Supplement to the geographical indication**

(a) Basic rule on supplements to the geographical indication '*Münchener Kümmel*/*Münchner Kümmel*':

Under current Union spirit drinks legislation, the name '*Münchener Kümmel*/*Münchner Kümmel*' may be supplemented only by:

— the terms specified under (b), or

— terms other than those specified under (b) which can be shown to have been in common use on 20 February 2008.

(b) Supplements with other terms:

— If indications concerning maturing, ageing or storage (e.g. 'alt' or 'alter' [old]) are added to the geographical indication '*Münchener Kümmel*/*Münchner Kümmel*', the products must have been matured or stored in suitable containers for at least 6 months.

— If quality terms (e.g. 'feiner' [fine] or 'Tafel-' [table]) are added to the geographical indication '*Münchener Kümmel*/*Münchner Kümmel*', the products must be of significantly higher quality than standard products. This may, for instance, be on account of having a particularly high proportion of caraway seeds in the mixture with ethyl alcohol of agricultural origin, or of using organically grown caraway seeds or using extra-fine filtered ethyl alcohol of agricultural origin or a specific variety of spirit, or because the alcoholic strength is much higher than the minimum alcoholic strength laid down for the product category.

9. **Applicant**

Bundesministerium für Ernährung und Landwirtschaft (BMEL) [Federal Ministry of Food and Agriculture (BMEL)]
Referat 414 (Wein, Bier, Getränkewirtschaft) [Unit 414 (Wine, beer, beverages sector)]
Rochusstraße 1
53123 Bonn
DEUTSCHLAND

10. **Intermediaries**

Bundesverband der Deutschen Spirituosen-Industrie und -Importeure e. V. [Federal Association of the German Spirit Drinks Industry and Importers of Spirit Drinks]
Urstadtstraße 2
53129 Bonn
DEUTSCHLAND

Südostbayerischer Verband der Obst- und Kleinbrenner e. V. [South-East Bavarian Association of Fruit Spirit and Small-Scale Distillers]
Werkstraße 16
84513 Töging am Inn
DEUTSCHLAND

11. **Control authorities**

Highest *Land* authority responsible for verifying compliance with the product specification (in accordance with Article 38 of Regulation (EU) 2019/787):

Bayerisches Staatsministerium für Ernährung, Landwirtschaft und Forsten, Referat M1 [Bavarian State Ministry of Food, Agriculture and Forestry, Unit M1]
Ludwigstraße 2
80539 Munich
DEUTSCHLAND

Tel. +49 8921820

Email: poststelle@stmelf.bayern.de; Ref-M1@stmelf.bayern.de

Highest *Land* authority responsible for surveillance of the use of names in the market place (in accordance with Article 39 of Regulation (EU) 2019/787):

Bayerisches Staatsministerium für Umwelt und Verbraucherschutz (STMUV) [Bavarian Ministry of the Environment and Consumer Protection]
Rosenkavalierplatz 2
81925 Munich
DEUTSCHLAND

Tel. +49 89921400

Email: poststelle@stmuv.bayern.de