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 359/10)

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 A PROTECTED DESIGNATION OF ORIGIN/PROTECTED GEOGRAPHICAL INDICATION 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

'FOIN DE CRAU'

EU No: PDO-FR-02091 — 18.11.2015

PDO (X) PGI ( )

1. **Applicant group and legitimate interest**

   Foin de Crau Committee

   Address: 10 rue Léo Lelée
   13310 Saint-Martin-de-Crau
   FRANCE

   Tel. +33 490472933
   Fax +33 490474209
   Email: comite@foindecrau.com

   The Foin de Crau Committee is composed of producers of 'Foin de Crau', and therefore has a legitimate interest in submitting this application.

2. **Member State or Third Country**

   France

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

   — ☐ Name of product

   — ☒ Description of product

   — ☒ Geographical area

   — ☒ Proof of origin

   — ☒ Method of production

   — ☐ Link

   — ☒ Labelling

   — ☒ Other [contact details of the competent authorities and of the inspection bodies, contact details of the group, inspections, link]

4. **Type of amendment(s)**

   — ☐ Amendments to the product specification of a registered PDO or PGI not to be qualified as minor within the meaning of the third subparagraph of Article 53(2) of Regulation (EU) No 1151/2012

[1] OJ L 343, 14.12.2012, p. 1.

— ☒ Amendments to the 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 within the meaning of the third subparagraph of Article 53(2) of Regulation (EU) No 1151/2012

5. **Amendment(s)**

Description of product

The product description has been revised and supplemented in order to further clarify the specificity of 'Foin de Crau':

— the unchanged characteristics of its plant composition have been clarified in this section. They were previously included in the 'Method of Production' section; it has been specified that 'Foin de Crau' is produced from permanent natural grasslands, made up of about twenty naturally-occurring fodder plants.

— in line with practices, it has also been specified that it is a hay produced by sun-drying in the field. The practice has not changed, but this clarification makes it possible to rule out the possibility of barn-drying, which would lead to cutting the link with the specific characteristics of the local climate.

— it has been specified that the hay has not been damaged in any way by rain. This ensures a high-quality hay.

— the more or less coarse character of the hay strands has been added. Depending on the cuttings in particular, the strands may be less coarse. Similarly, the 'non-leafy' character of the hay depends on the cuttings, and is a function of the more or less coarse character of the hay strands. If the first cutting contains coarse strands and is not leafy, the second — and above all the third — cuttings are more leafy and contain fewer coarse strands. It is therefore proposed to delete the reference to the 'non-leafy' character of the hay. The proposed new wording makes it possible to take into account the characteristics of each cutting, without altering the general and essential characteristics of 'Foin de Crau'.

— the reference to the particular richness in mineral salts and in energy of 'Foin de Crau' has been deleted because it is not related to the definition of the relevant minimum values. Furthermore, although the special palatability and digestibility of 'Foin de Crau' is acknowledged by users, these characteristics are difficult to measure. The reference to these characteristics has been deleted from this section in the specification. Linked to its strong odour, the 'palatable' character of the hay has, nevertheless, been referred to in the section 'link with the geographical origin' of the Single Document and the Specification.

— the formats in which 'Foin de Crau' is presented for sale have been clarified (the hay is placed in bales) and extended to the production of hay in bags of a maximum of 10 kg. The market for bags meets the demand from food retail superstores and DIY superstores, garden centres, pet shops, and specialist agricultural retailers. The size of the bags may vary depending on demand. The bags are produced from bales of 'Foin de Crau', and this does not affect the quality and characteristics of the hay if particular care is taken in making it by checking that the specific plant species of 'Foin de Crau' are preserved. The quality of the hay is also ensured by adhering to a maximum moisture content of 14 % in the bales used, as well as a 60-day minimum prior storage time of the bales after harvesting.

Geographical area

The boundaries of the 'Foin de Crau' geographical area were originally approved in 1997. Following individual requests made by hay producers, new parts of municipalities — already belonging to the 'Foin de Crau' geographical area (Grans, Istres, Lamanon and Salon-de-Provence) - have been added within these boundaries. This inclusion is proposed after verifying that they share the same geological, soil, climatic, and flora criteria as obtain within the boundaries of the rest of the designation of origin.

Moreover:

— it has been specified that 'Foin de Crau' must be produced on the Crau plain in the Bouches-du-Rhône department;

— it has been specified that the packaging of the hay (de facto for the bales, because the baling occurs at the time of harvest, but also for the preparation of the bags) must be carried out in the geographical area. The proof that the bagged hay has been packaged in the geographical area is given in the specification and the Single Document;

— it has been specified that the municipalities in the geographical area are partly covered, and it has been stated that a map delineating the boundaries of the geographical production area has been lodged with the municipal authorities of the municipalities in question by the Institut national de l'origine et de la qualité (INAO)(National Institute for Origin and Quality). A map of these municipalities is available on the website of the competent national authority in line with the requirements of the INSPIRE Directive;

— throughout the text of this section, the term 'grassland' has been replaced by the more appropriate term of 'parcel'. The methods for identifying the parcels from which 'Foin de Crau' is harvested have been clarified: this identification must be carried out in accordance with the criteria set by the INAO's National Committee on 23 April 1997. The list of parcels identified, and the identification criteria, may be consulted at the INAO and the group concerned.

Proof of origin

The section 'Information proving that the product originates from the geographical area' has been consolidated, and brings together in particular the declarative requirements and the requirements regarding the keeping of registers on the traceability of the product and the monitoring of production conditions.

That section has also been extended to include several provisions on registers and declaration documents, enabling traceability to be guaranteed, and ensuring that product compliance with the requirements of the specification is monitored.

Method of production

— Grassland management: the list of the plant species that must form the majority of 'Foin de Crau' has been clarified. The Latin names for these species have been added. In addition, the list of species the presence of which is grounds for exclusion from coverage by the designation has also been added, in order to clarify the concept of 'specific plant balance' of the grasslands, and to ensure that hay from these grasslands is consistent with the characteristics of the product with designation-of-origin status.

— Setting up of the grassland: In order to ensure the 'natural' character of the 'Foin de Crau' grasslands, it has been specified that 'Foin de Crau' designation-of-origin status cannot be given to hay from young grasslands until five years after they have been set up.

— Irrigation: The requirement to irrigate the grasslands every 8-to-12 days from March to October for several hours depending on the distribution of the water tower has been removed. Irrigation should be managed according to the level of rainfall — it is not uniformly consistent. Moreover, the producer cannot choose the water towers. These are mandated by the authorised irrigators' union, on which he is dependent. In order to produce good-quality 'Foin de Crau', it is important to preserve the practice of gravity irrigation by flooding of the grasslands, which can be done from March through to October.

— Fertilisation: it is proposed to reduce doses of mineral nitrogen inputs, from 60 units per hectare to at most 40. The experience acquired over several years of production of the designation of origin demonstrates that an input of 60 units of mineral nitrogen per hectare is not necessary.

— Amendments: the reference to the methods and dates of fertilisation chosen in such a way so that no manure is found in the hay has been removed, insofar as these methods and dates of fertilisation are not defined elsewhere in the specification and therefore remain uncontrollable. However, the requirement that no traces of manure be found in the hay is maintained. In addition, the conditions for spreading and monitoring the use of organic fertilisers from agricultural and non-agricultural sources have been clarified. It has been specified that 'the only authorised organic fertilisers are compost or digestates, manure, slurry, liquid manure (from agricultural sources) as well as organic fertilisers from non-agricultural sources, such as sewage sludge (or by-products) and green waste'. In addition, it has been specified that: 'Each application of non-agricultural organic fertiliser must be accompanied by analytical monitoring on a batch-by-batch basis (lorry-load, tankful) of pathogenic germs, heavy metals, and organic trace compounds covered by the legislation. Spreading non-agricultural organic manure is authorised on farm land, provided it is covered over immediately and done in compliance with the legislation in force with regard to the specific restrictions (dates, protected areas, …), quantities, etc. A latency period of at least eight weeks must be observed after spreading before any reaping or grazing'. These provisions make it possible to prevent any risk of contaminating the hay with pollutants.

— Harvest and storage of the hay: the provision 'the harvest is divided into three cuttings' has been amended and supplemented.

Producers are given the option every year of replacing one of the three cuttings with a grazing. Indeed, production of 'Foin de Crau' and livestock-raising (above all sheep-rearing) are closely linked. Livestock farmers traditionally practice so-called 'aftermath' grazing at the end of February, following the third cutting, which helps to maintain the grasslands of Crau. However, in the event of a fodder deficit at certain times of the year (springtime in Crau or summer in the mountain pastures), the only source of fodder available to the herds is the grassland pastures of Crau, replacing the first or third cutting. This practice does not affect the quality of the flora in the grasslands insofar as the minimum periods between the cuttings and the grazing are observed. In order to ensure sufficient grass growth and the optimal development of the desired plant species (without reaching an over-ripeness that might damage the palatability and fodder value of the hay), it has also been specified that the first cutting must occur at least 60 days following the aftermath grazing, and that there must be a period of between 40 and 60 days between two cuttings.

It is also proposed to remove the deadlines for completing the different cuttings, which had been originally been set at 31 May, 25 July and 30 September, unless an exception was granted. The quality of the hay depends above all on the maturity of the grass. This depends on the length of time it has grown. It is therefore important to observe the set time limits between each cutting and between the cutting and the grazing(s). With regard to the drying of the cut grass, it has been specified, according to long-standing local practice, that this be done in the field. Barn drying is therefore not allowed. Natural drying is promoted by the climatic conditions of the natural environment (sunshine and wind).

The provision stating that the hay must not stay on the field more than five days for the first and third cutting, and no more than three days for the second cutting, has been removed as these time-frames are too arbitrary. In practice, the optimum length of time for drying hay in the field greatly depends on the climatic conditions. Managing this time period therefore draws in particular on the know-how of the producers.

In order to remove any ambiguity, it has been specified that the hay be put in bales after drying in the field. Provisions relating to the baling have been introduced: In order to clearly identify the product, the baling must be done with a two-tone twine made of a white strand and a red strand. In order to preserve the quality of the hay, the hay must be loaded the same day to prevent any soil moisture from rising up during the night, except when there is a strong Mistral (strong, dry north/north-west wind), during which times the bales may remain in the field for one night.

In order to avoid any ambiguity concerning the storage conditions, the provision 'the hay is stored in a shed and must be insulated from the floor and walls of this shed' has been amended as follows: 'the hay is stored in a shed, taking care to avoid all contact with soil moisture and wall moisture', the linings of the floor and walls of the hangar do not necessarily have to be made of insulating materials. In addition, this provision has been supplemented by specifying that it does not apply to so-called 'from-the-field' or 'off-a-wagon' sales, which are sales that happen very quickly after the hay is baled in the field.

Production yield

In order to preserve the observed output levels to ensure the quality of the product, but also in order to enable checks to be carried out concerning product traceability and production volume, a total maximum hay-production output of 11 tonnes per hectare of grassland has been included. In fact, this output is one of the characteristics of 'Foin de Crau', as the observed output levels are generally higher on grasslands of other geographic areas. The output restriction also makes it possible to ensure compliance with rules on the application of nitrogen. Excess nitrogen can alter the plant characteristics of the hay. It has also been specified that this output is calculated across all of the plots identified on the holding that make hay intended for the designation of origin.

Packaging of the hay: As stated above with regard to the amendment of the description of the product and the formats in which it may be presented, 'Foin de Crau' designation of origin hay may be sold in bags. In order to ensure the quality of the hay placed on the market in this way, specific bagging conditions have been defined. In order to ensure the stability of the product bagged in this way, avoiding any risk of deterioration or fermentation, the bagged hay must be sufficiently dry and have finished maturing. The hay used must therefore have a maximum moisture content of 14 % and meet the 60-day minimum storage requirement after harvesting. Furthermore, in order to ensure that the product's characteristics are not compromised over time, it has been specified that 'The bags must be stored away from moisture and daylight. The bags of hay may not be placed on the market with the "Foin de Crau" PDO more than 6 months after the day of bagging'. In addition, in order to ensure the traceability of the product up to the end consumer, it is proposed that the bags be sealed 'using a system which cannot be resealed after it is first opened'.

In addition, the bagging of 'Foin de Crau' must be carried out by operators in the sector in the geographical area of the designation of origin. This requirement has a twofold purpose of ensuring quality, and guaranteeing the geographic origin of the 'Foin de Crau' PDO. As regards quality, it is a question of preserving the characteristics of the product, and especially its plant-species composition. The bagging process requires handling (removing the identifying tie around the bale and decompressing the bale). This raises the risk of getting rid of certain plant species (the lightest species, such as clover, can be reduced to dust and removed when the hay bale is dismantled and passes through a blower) and altering the characteristics of the strands that make up the hay (too much dust is present). The final verification that the product is in compliance, in particular with respect to the presence of the distinctive plant species, draws on the know-how of the operators in the sector. As regards the guarantee of the product's geographical origin, this condition reduces the risk of substitution or mixing the product with hay from other areas, which could be increased by the handling necessary for bagging.

Labelling

The wording of labels specifically referring to the designation has been brought into line with Regulation (EU) No 1151/2012 and specified for the new sales presentation formats for 'Foin de Crau' in bags. The European Union's PDO logo and the words 'appellation d'origine protégée' (protected designation of origin) are among the references that must be included on labels for products covered by the 'Foin de Crau' designation of origin.

Other

— In the light of changes to national legislation and rules, the section 'National requirements' is presented as a checklist in the form of a table with reference values and evaluation methods for each point.

— the 'References to inspection bodies' and 'Responsible department in the Member State' sections, and contact details of the group: the name and the contact details of the official inspection bodies and of the group have been updated.

— Proof of origin: the elements relating to the history of the designation have been deleted from this section and have been transferred, in part, to the section 'Link with the geographical area'.

— Link: without changing the fundamentals, the close link between the production of 'Foin de Crau' and livestock farming is spelled out in order to explain that the production can occur in two or three cuttings of hay, combined with one or two grazings, as needed, without affecting either the quality or the characteristics of 'Foin de Crau'.

SINGLE DOCUMENT

'FOIN DE CRAU'

EU No: PDO-FR-02091 — 18.11.2015

PDO (X) PGI ( )

1. **Name(s)**

'Foin de Crau'

2. **Member State or Third Country**

France

3. **Description of the agricultural product or foodstuff**

3.1. *Type of product*

Class 2.9. Hay

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

'Foin de Crau' is produced from permanent natural grasslands, made up of about twenty naturally-occurring fodder plants (grasses, legumes, composites, others). It consists mostly of tall oatgrass (Arrhenatherum elatius P. Beauv. ex J. Presl & C. Presl), cock's-foot (Dactylis glomerata L.), red clover (Trifolium pratense L.) and white clover (Trifolium repens L.).

'Foin de Crau' is dried in the field in the sun. It has not been damaged in any way due to the rain. It has a distinctive appearance linked to the green-coloured more or less coarse strands, and a strong odour with floral characteristics.

'Foin de Crau' is sold in bales or in bags (10 kg maximum).

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*

All of the processes, from the production of the hay to its drying, are carried out within the defined geographical area.

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

As is customary, after the hay is cut and sundried in the field, the hay is packaged in bales, with the red-and-white twine that identifies it as 'Foin de Crau'.

The hay intended for packing in bags comes from bales the maximum moisture content of which is set at 14 %, and which have been stored for a minimum of 60 days after the harvest.

The bags must be sealed using a system which cannot be resealed after it is first opened.

The bags must be stored away from moisture and daylight. The bags of hay may not be placed on the market with the 'Foin de Crau' PDO more than 6 months after the day of bagging.

Packing of the bales in bags must be carried out in the geographical area. This requirement is in order to ensure the quality and the geographical origin of the 'Foin de Crau' PDO: preservation of the product's characteristics and in particular conservation of the plant species defined in point 3.2. The bagging process requires handling that raises the risk of getting rid of certain plant species (the lightest species, such as clover, can be reduced to dust and removed when the hay bale is dismantled and passed through a blower) and of altering the characteristics of the strands that make up the hay (too much dust is present). It is also necessary to check the moisture content of the bagged hay as well as the hay's minimum storage period after harvest. These conditions are necessary to ensure the hay is aged and thus guarantee the best conditions for preservation of the product.

The final verification that the product is in compliance, in particular in terms of plant species, draws on the know-how of the operators in the sector, who have detailed knowledge of the characteristics and distinctive qualities of the product.

As regards the guarantee of the product's geographical origin, this condition reduces as much as possible the risks of substitution or mixing of the product with hay from other areas, which could be increased by the handling necessary for bagging (removal of the fastening tie that identifies the bale, decompressing the bale).

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

Bales of 'Foin de Crau' come with the two-tone red-and-white coloured twine.

Each lot of hay bales sold comes with an accompanying certificate specifying in particular:

— the name of the designation of origin 'Foin de Crau' followed by the words 'protected designation of origin';

— The European Union PDO logo;

— the operator's identification number;

— the certificate number;

— the year and number of the cutting.

The bag labels feature:

— the name of the designation of origin 'Foin de Crau' followed by the words 'protected designation of origin';

— The European Union PDO logo.

The name of the designation of origin 'Foin de Crau' followed by the words 'protected designation of origin' must feature on the accompanying documents and invoices.

4. **Concise definition of the geographical area**

'Foin de Crau' is produced on the Crau Plain (Bouches-du-Rhône department). The Crau plain is an ancient stony delta of the Durance river, bounded to the north by the Alpilles, to the east by the hills of Salon-de-Provence and the Berre lagoon, and to the west by the Grand Rhône.

The geographical area of the 'Foin de Crau' designation of origin is defined by a zone within the following partially covered municipalities of the Bouches-du-Rhône department: Arles, Aureille, Eyguières, Fos-sur-Mer, Grans, Istres, Lamanon, Miramas, Mouriès, Saint-Martin de Crau, and Salon de Provence.

5. **Link with the geographical area**

The Crau region is a triangle of more than 51 000 hectares located in the Bouches-du-Rhône department. It stretches between Arles in the northwest, Lamanon in the northeast, and Istres and Fos-sur-Mer in the south. To the north, it is bounded by the Baux marshes, the Malacarcia ridge, and the Alpilles, to the east by the Miocene hills of Salon-de-Provence, Grans, Miramas, Istres and Fos-sur-Mer, and to the west by the marshes of the left bank of the Rhône. It is formed by the ancient floodplain of the Durance and is a desert-like plain covered in rounded stones.

The soils are stony red or brown soils on a crust that is located between a few centimetres and a metre deep. These soils are made up of silts and clays and a large share of stones or pebbles. They are significantly decalcified, and slightly alkaline at the surface. The Crau gravel contains a groundwater table, which is fed mostly by the irrigation of the grasslands (up to 70 %).

The Mediterranean-type climate is characterised by mild winters, dry hot summers, strong winds, and practically no rainfall from April to October. The winds are strong, particularly the Mistral. The amount of sunshine is quite exceptional. The evaporation process is very important.

Production of 'Foin de Crau' is closely linked to livestock farming and irrigation practices. The development of irrigation in the 16th century gave rise to the presence of natural and permanent grasslands in Crau. Between 1554 and 1559, Adam de Craponne built a canal that brought water from the Durance to Salon, Eyguières and Istres. There was no regulation of the way in which the canals of the lower Durance — and in particular of the Crau — were fed until the creation of the Serre-Ponçon reservoir and the hydroelectric installations on the Durance in 1955. Since that date, Crau enjoys a regular water supply.

In 1890 Eugene Risler, professor and director of the Institut National Agronomique (National Agronomic Institute) in Paris wrote in his work 'Géologie agricole' ('Agricultural Geology') (Paris, Berger-Levrault et Cie, librairie agricole): 'the creation of these two canals (Craponne et Alpines) has had significant consequences. They made it possible to bring almost 20 000 ha into production. The irrigated lands, made up of successive loam enrichments, produce wonderful grasslands that easily produce between 10 000 and 11 000 kg of dry hay per hectare. These pastures give three cuts of fragrant hay held in high esteem in Provence, as well as one regrowth grazed in winter by sheep.'

For several centuries, water management has brought farmers together in associations. The grasslands are flood-irrigated by gravity over several hours using a water tower, which most often comes under the authority of canal wardens (known in Provençal as 'eygadiers').

Control of nitrogen fertilisation is important for maintaining the balance of plant species in the Crau grasslands. Nitrogen inputs are restricted. Excessive inputs risk promoting the development of certain grasses at the expense of tall oatgrass.

Once cut, the hay dries naturally in the field in the sun for several days, depending on the weather conditions (sunshine, wind).

The hay is then put in bales in the field, and, with the exception of 'from-the-field' (or so-called 'off-a-wagon') sales, it is stored that day — or the day following the harvest — so as to protect it from rain and moisture. These storage conditions also allow for the good fermentation (ageing) of the hay.

Pastoralism in the Crau plain is an age-old practice, involving where appropriate, summer transhumance in the Alps. The animals (sheep, cattle, horses) graze the regrowth after the third hay cutting. They leave the grasslands of Crau at the end of February. If there is a fodder deficit resulting in a lack of grazing in Crau's 'coussouls' (razed grassland with discontinuous covering), paths, or spring grasses, the grazing of the irrigated grasslands is then the only way to feed the herd. Producers may then replace the first cutting with a grazing. In the event of a fodder deficit in the mountain pastures, the ewes come down from transhumance at the start of September. At this time of the year, their only fodder resource is to graze the Crau grasslands, replacing the third cutting of hay. Thus, 'Foin de Crau' can be made in two or three cuttings of hay, with one or two grazings as required, without affecting the quality of the flora in the hay insofar as the minimum periods between the cuttings and the grazing are adhered to.

'Foin de Crau' is different from hay from other geographical areas, due to the uniqueness of the plant species from which it is made. It is made up — on average — of about twenty naturally-occurring fodder plants (grasses, legumes, composites, and others), and is characterised in particular by the invariable presence of tall oatgrass (Arrhenatherum elatius P. Beauv. ex J. Presl & C. Presl), cock's-foot (Dactylis glomerata L.), red clover (Trifolium pratense L.) and white clover (Trifolium repens L.). It is a naturally sundried hay. It is known for its pleasant smell, making it very palatable. 'Foin de Crau' is a feedstuff of choice for racehorses, and for dairy cows, ewes and goats; it is known for promoting the production of milk that is rich in fat.

The qualities of 'Foin de Crau' are the result of many interlinked factors: natural environment (climate, soil) and human factors (irrigation, production techniques, role of the herds, harvesting methods, preservation methods). Irrigation with water from the Durance made it possible to better cultivate the Crau plain. This water supply is necessary during the dry period from April to October. Flood-irrigated by gravity, it makes it possible to provide the grasslands with the necessary nutrients, recalcifies the soils, and plugs the stony soils thanks to silt deposits.

The Mediterranean-type climate is often swept by the Mistral. The almost complete absence of rainfall from April to October facilitates haymaking and this drying wind reduces the drying period of the hay. This reduces the degradation by ultraviolet rays of the hay's nutritional elements.

Following the cycle of the grass, the herds leave the Crau grasslands at the end of February to allow the grass to grow before the first cutting. This grazing helps to maintain the grasslands.

The balance of the distinctive flora of the natural and permanent grasslands in Crau is achieved and maintained by the interaction of all of these age-old production practices: irrigation, control of fertilisation, and the combination of reaping and grazing. The quality of the hay is preserved by the practice of rapidly storing the hay away from moisture until it is sold.

Reference to publication of the specification

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

https://info.agriculture.gouv.fr/gedei/site/bo-agri/document_administratif-a8a6d6ad-8ae0-488f-be94-22573ca44ae8/telechargement