Application for approval of a minor amendment made public in accordance with the fifth subparagraph of Article 6(2) of Commission Delegated Regulation (EU) No 664/2014 of 18 December 2013
The European Commission has approved this minor amendment in accordance with the third subparagraph of Article 6(2) of that Regulation

APPLICATION FOR APPROVAL OF A MINOR AMENDMENT

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

'MEJILLÓN DE GALICIA' / 'MEXILLÓN DE GALICIA'

EU No: PDO-ES-0165-AM01 – 8.6.2017

PDO (X) PGI ( ) TSG ( )

1. APPLICANT GROUP AND LEGITIMATE INTEREST

Consello Regulador do Mexillón de Galicia

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The applicant group has a legitimate interest in requesting this amendment to the product specification in its capacity as the Mexillón de Galicia - Mejillón de Galicia PDO management and control body, established as a public-law corporation under Article 12 of Law 2/2005 of 18 February 2005 on the promotion and protection of food quality in Galicia.

All operators involved in the production of Mexillón de Galicia-Mejillón de Galicia PDO are members of this entity. The name was entered in the European Union's register of protected designations of origin and protected geographical indications under Commission Regulation (EC) No 1050/2007 of 12 September 2007.

2. MEMBER STATE OR THIRD COUNTRY

Spain

3. HEADING IN THE PRODUCT SPECIFICATION AFFECTED BY THE AMENDMENT

£ Description of product

£ Proof of origin

£ Method of production

£ Link

£ Labelling

 Other: the amendment affects the range of one of the variables checked by sampling for the purposes of certifying each batch at the port.

4. TYPE OF AMENDMENT

 Amendment to product specification of registered PDO or PGI to be qualified as minor in accordance with the third subparagraph of Article 53(2) of Regulation (EU) No 1151/2012, that requires no amendment to the published single document.

£ Amendment to product specification of registered PDO or PGI to be qualified as minor in accordance with the third subparagraph of Article 53(2) of Regulation (EU) No 1151/2012, that requires an amendment to the published single document.

£ Amendment to product specification of registered PDO or PGI to be qualified as minor in accordance with the third subparagraph of Article 53(2) of Regulation (EU) No 1151/2012, for which a single document (or equivalent) has not been published.

£ Amendment to product specification of registered TSG to be qualified as minor in accordance with the fourth subparagraph of Article 53(2) of Regulation (EU) No 1151/2012.

5. AMENDMENTS

SPECIFICATION	
CURRENT VERSION In section B, Description of Product, the third paragraph of subsection B.2, Certification of Mejillón de Galicia, reads as follows:	AMENDMENT The requested amendment concerns only the number of pieces per kilogram in the sample taken at the port. The new quantity proposed is '70 pieces or less', so the amended paragraph reads as follows:
'*In order to be covered by the Protected Designation of Origin Mexillón de Galicia, the samples taken must have a minimum yield of 12 %, and one kilogram must contain 40 pieces or less*.'	'*In order to be covered by the Protected Designation of Origin Mejillón de Galicia, the samples taken must have a minimum yield of 12 %, and* ***one kilogram must contain 70 pieces or less***.'

This does not entail any amendment of the Single Document (summary sheet), which remains unaltered and as published in *Official Journal of the European Union* C 320/12 of 28.12.2006.

summary of reasons:

A short explanatory paper is attached.

A detailed survey carried out in the period 2004-2015 pointed to a new trend with respect to fresh mussels that reveals a change in consumer preference regarding size. Demand is shifting from large sizes to smaller ones (see diagram 1 in the explanatory paper).

In view of the above, and to confirm the facts, different mussels available on the market are being reviewed, studied and compared, and corroborate this trend.

In these circumstances, Mejillón de Galicia PDO needs to adapt. Commercial innovation is needed to bring Mexillón de Galicia PDO

into line with market demand, which will enable the operators at source to be fairly rewarded, preserving skills, knowledge and traditions, all the while maintaining the current morphological, physiological and genetic characteristics of Mejillón de Galicia PDO.

The amendment should be considered minor within the meaning of the third or fourth subparagraphs of Article 53(2) of Regulation (EU) No 1151/2012

The third subparagraph of Article 53(2) of R (EU) 1151/2012 provides that for an amendment to be regarded as minor it must not affect any of the five elements listed in that subparagraph.

These elements are listed below, as set out in that provision, along with the reasons why the proposed amendment does not affect them and should therefore be considered minor:

(a) the essential characteristics of the product.

Article 7(1)(b) of R (EU) 1151/2012 provides for a description of the product, including the raw materials, if appropriate, as well as its principal physical, chemical, microbiological or organoleptic characteristics. For Mejillón de Galicia PDO this is given in section 4.2 of the Summary Sheet (OJ C 320, 28.12.2006, p. 12), and in section B.1. of the Specification for Mexillón de Galicia, which contains a detailed description of the product's characteristics (taxonomy, anatomy, morphology, physiology and genetics). The proposed amendment does not alter these characteristics in any way, as shown below.

The water of the Galician rias consists of 98 % seawater, from the North Atlantic Central Water, whose salinity and temperature are well defined. The fresh water coming from the rivers is at the top because it is less dense. The tide creates a partial mixture, transporting salt up towards the surface and fresh water down towards the bottom, which mix together as the water flows towards the mouth of the ria, generating positive estuarine circulation. The velocity of ascent depends to a large extent on the velocity of the ria's internal tide (which is in turn determined by the coastal tide, which varies between 0.6 metres (neap tide) and 4 metres (spring tide)), and on meteorological conditions, among other things.

This vertical velocity produces the ocean phenomenon that occurs on Galicia's continental platform, namely upwelling, which is of fundamental importance as it is on this that the high primary productivity of the rias depends. Upwelling gives the Galician rias their oceanographic characteristics and determines basic parameters that define them as ecosystems, such as temperature, salinity, oxygen and dissolved nutrients that fertilise the rias and produce large quantities of phytoplankton, which is the first link in all marine food chains, making it possible to farm mussels in an area of high biodiversity.

In the North Atlantic the seasonal cycle of phytoplankton biomass has two maxima, in spring and autumn, and two minima, in

summer and winter. However, in the Galician rias, the cycle is different, due to the effect of upwelling: throughout summer, a number of upwelling events occur and fertilisation processes ensue, affecting primary production. Hence, in summer production depends on nutrients reaching the layer of water where there is enough light for photosynthesis. This seasonality means that in Galicia growth rates are higher in spring and early summer than during the winter, reaching between 6 mm and 9 mm/month in the spring-summer period.

Thus, growth is influenced by environmental factors which explain growth differences for the same species in different geographical areas, although the fundamental factor is the amount of food ingested, which will depend on its availability and the filtration rate. And in the Galician rias the rate of assimilation of phytoplankton is much higher than in the other ecosystems that have been studied.

Relative levels of seston in the rias are low (generally below 2 mg/l). However, the characteristics of this natural seston in the rias allow the mussels to ingest large quantities of food (ingestion rate) which they then process highly efficiently (absorption efficiency rate). Essentially, the heterogeneous composition of the natural food permits selective incorporation of part of that food (the organic fraction) by the diverticula of the digestive gland, and evacuation of the inorganic component. Thus, the fact that the seston is highly digestible favours the high absorption efficiency rate characteristic of the mussels cultivated in the rias, which is much higher than the rates recorded in the literature for mussels farmed elsewhere.

The low relative concentration of seston and its high quality, as well as its chlorophyll content at the most favourable time of year, are important in determining the distinctive physiological characteristics of mussels from the Galician rias.

All these relationships and parameters distinguish mussel farming in the Galician rias and its interaction with the ecosystem, as well as the physiological behaviour of the mussels themselves, as described above.

In summary, mussels farmed in the Galician rias grow differently from mussels cultivated in other geographical areas. Moreover, the characteristics of the seston in the rias engender distinctive physiological behaviour, in particular as regards the relationship between absorption efficiency and ingestion rate, due to the high digestibility of the food available.

The proposed amendment does not alter the environmental conditions that determine the characteristics of Mejillón de Galicia. The characteristics described in the Specification that served as the basis for entering Mejillón de Galicia in the PDO register have not changed. The intrinsic quality of the product is therefore maintained, but the amendment also enhances the quality perceived by consumers, by adapting the product to their tastes

and demand, as provided for in recital (2) of the preamble to R (EU) 1151/2012.

(b) alter the link

Article 7(1)(f) of R 1151/2012 concerns the link between a product's distinctive quality and the geographical environment or geographical origin. The description given in section 4.6 of the Summary Sheet (and section F of the Specification) ensures that this link remains unchanged, as it has not been amended at all.

(c) change to the name of the product

Article 7(1)(a) of R 1151/2012 concerns the name to be protected, which remains unchanged.

(d) affect the geographical area

Article 7(1)(c) of R 1151/2012 concerns the definition of the geographical area demarcated with regard to the link. Accordingly, section 4.3 of the Summary Sheet (with greater detail in section C of the specification) defines the area, which is not altered by this proposal.

(e) increase restrictions on trade.

Article 7(1)(e) of R. 1151/2012 concerns restrictions on trade, in particular the free movement of goods, in connection with packaging in the defined geographical area. However, as the requirement regarding packaging within the geographical area has not been amended and neither has the geographical area (see above), no restrictions on trade are introduced by the proposed amendment.

6. UPDATED PRODUCT SPECIFICATION (ONLY FOR PDO AND PGI)

http://www.mar.xunta.gal/sites/default/files/fileadmin/arquivos/mar/pliego_modificado_dop_mexilondegalicia_2017.pdf