

Meeting held on Microsoft Teams re 'Ġbejna tan-nagħaġ' PDO Application – Geographical Indications and Designations Standing Committee – Tuesday 2nd August 2022

Present:

Ingrid Borg (IB) (MCCAA)

Mark Anthony Cassar (MAC) (MCCAA)

Giannella Pisani (GP) (MCCAA)

Daniel Borg (DB) (Xirka)

John Mary Borg (JMB) (Xirka)

Laura Falzon (LF) (Xirka)

Publius Falzon (PF) (Xirka)

Jason Vella (JV) (Xirka)

Christian Borg (CB) (MaYA foundation)

Jeanette Borg (JB) (MaYA foundation)

Jorge Spiteri (JS) (MaYA foundation)

IB: Informed the attendees that the meeting will be recorded so as to assist minute taking. The scope of this meeting is to discuss the objection to the revised application for the protection of the product name 'Ġbejna tan-nagħaġ' as a PDO, submitted by MaYA foundation. Following the discussion, MCCAA will take its final decision on proceeding with the way forward.

One of the issues raised is with respect to the air-drying process being carried out in assisted chambers instead of using a 'qanniċ', to produce 'Ġbejna tan-nagħaġ niexfa'. MaYA foundation does not agree that this non-traditional method is included in the dossier.

JB: Traditional 'Ġbejna' production should not use air-assisted methods. Such methods alter the taste of the final product. The use of the 'qanniċ' is part of the original traditional process. An appliance which mechanically removes moisture, a desiccator, does not produce the same taste and results in the final product, as natural traditional methods.

IB: Xirka needs to provide clarification on the inclusion of air-assisted methods in the dossier. Although Xirka always promotes traditional processes, more advanced hygienic methods should not be excluded.

JV: 'Qanniċ' is preferably used in the production of 'Ġbejna tan-nagħaġ niexfa'. In the previous PDO application, stakeholders asked for the inclusion of air-assisted methods in the dossier so that more operators could participate in the PDO application. Under certain circumstances, and to avoid ruining the product, the 'Ġbejna tan-nagħaġ' needs to be air-dried in assisted chambers. This method must be used during prolonged humid weather conditions ('riħ isfel') or when dusty desert rain ('xita tal-ħamrija') is forecast.

JB: This limitation due to weather conditions is known. However, the use of air-assisted chambers does not lead to the production of the traditional, artisanal product.

IB: Further clarification on the way in which the taste of the final product changes when a desiccator is used needs to be provided.

JB: From personal experience of tasting 'Ġbejna niexfa', the taste is indeed affected.

MAC: Enquired if desiccators are stored inside a building/facility.

JV: Desiccators are kept inside the production facility.

JB: Humid weather conditions and dusty desert rain do have a negative impact on 'Ġbejna niexfa' if it is dried in 'qanniċ'. However, the use of the desiccator results in a change in taste of the final product. Producers may still produce such cheese using different methods. MaYA is objecting to these products being included in the quality label.

MAC: Enquired if 'qanniċ' may be covered to protect the 'Ġbejna tan-nagħaġ niexfa' from adverse weather conditions.

JV: If the 'qanniċ' is covered too tightly, the 'Ġbejna tan-nagħaġ niexfa' may not dry properly and the final product will turn mouldy.

JB: This issue has never been encountered in the past 10 years working in this sector.

JV: If the product is soiled by dusty desert rain, and is not rinsed properly, this could be very unhygienic.

JMB: Over the past years, dust has increased in Malta and the air is no longer clean. Due to an increase in construction, it is more difficult for the sea breeze to reach inland. Therefore, the use of the desiccator should not be excluded. The revised PDO application cannot be rejected due to this point. Indeed, both size and taste of the final product may change slightly by drying in a desiccator. However, it is the source of milk which mainly affects the taste of the final product. The desiccator dries the product within approximately 3 days. One may also use the desiccator for drying the product for 3-4 days. Finally, the product is dried in the 'qanniċ'. If not dried properly the product may turn mouldy.

CB: The taste and shape of the final product are affected when an air-drying chamber is used.

Cheese made using other milk sources and methods should continue being produced and promoted. Industrial processes may still be used. However, enforcing certain standards is important in the production of artisanal products. Traditional and artisanal products should not be treated homogeneously. However, this is not the main issue why MaYA has objected to this current application, and it seems that the discussion is being avoided.

IB: The fact that the name 'Ġbejna' has become generic has already been decided in the first application. As per EU regulation 1151/2012, generic product names cannot be protected as PDOs. An application for the name 'Ġbejna' will be rejected by CION. Meetings have already been held with CION to discuss this issue. The sector has taken a long time to start working on protection of this name. The introduction of new raw materials and methods over the years have rendered the name generic. Therefore, the name 'Ġbejna' cannot be protected. The way forward is the protection of the name 'Ġbejna tan-nagħaġ'.

JB: Currently there are no resources to inspect for food fraud in Malta. The protection of the name 'Ġbejna tan-nagħaġ' will further complicate the situation.

IB: The issue of food fraud is not relevant in this case. The name 'Ġbejna tan-nagħaġ' will be protected and enforcement and controls will be carried out on the producers by MCCA.

JB: As per the only peer-reviewed research up to date, the 'Ġbejna' is made from sheep's milk. There is no need to specify the milk source as in the current PDO application. By

doing this the status of 'Ġbejna' is not being reinforced at all. Currently, producers are even selling 'Ġbejna' made from powdered milk.

IB: From comments received during the public consultation held with respect to the first 'Ġbejna' PDO application, it is evident that the name 'Ġbejna' has become generic. As per EU legislation a product must be on the local market for 25 years to be considered as traditional. There are different milk source variations even mixtures which have been on market for the past 30 years. Anyone who names their product as 'Ġbejna tan-nagħaġ' and uses the PDO logo must follow the production specifications in the dossier.

CB: Enquired if MCCAА may issue a declaration that it will not accept similar applications for a PDO or PGI product.

IB: MCCAА cannot refuse to accept an application. Any application will have to go through the full process and follow the requirements of the legislation for the suggested name to be approved.

CB: Similar applications for a PDO or PGI product will lead to more confusion on the local market. Producers will suffer the consequences from this. MaYA foundation is interested that tradition is protected.

IB: Any similar applications for a PDO or PGI product must follow the same process as the current 'Ġbejna tan-nagħaġ' application, as well as previous applications. MCCAА cannot predict which dossiers it will receive in the future and whether or not these will be successful.

JB: Pressures were carried out in the past to change the application name to 'Ġbejna tan-nagħaġ'.

IB: MCCAА followed the procedure in the legislation and its decision is based on the procedure.

CB: The same applicant was not defended as best as possible by MCCAА during the process of the first application. There is no legislation which specifies that the name 'Ġbejna' has become generic.

IB: EU regulations do not deal with the specific individual products of each MS. From comments received from the previous public consultation, as per definition of traditional products as per EU legislation, from products on the market made from different milk sources and being marketed as 'Ġbejna', the name 'Ġbejna' has become generic.

JB & CB: Enquired if any market research was carried out.

IB: The objections received during public consultation cover the market research. The procedure for processing PDO applications is established by EU legislation, and this process was followed completely. Documents and studies were submitted along with PDO application. A standing committee was also established to review the PDO application. The names of the standing committee members were publicly available on the government gazette.

MAC: The current market situation is already problematic. The introduction of 'Ġbejna tan-nagħaġ' PDO will make the product prestigious.

CB: If 'Ġbejna tan-nagħaġ' will remain on the market as the only quality label it will not be an issue, as consumers will only have access to one such label referring to 'Ġbejna'. However, if other similar PDO applications are accepted, issues will arise, for example if 'Ġbejna tal-Baqar' PGI or 'Ġbejna tal-Mogħoż' PDO are introduced on the market.

MAC: There exist similar cases in other MS, and this has not affected the market.

CB: The confusion in the current market situation is already worrying as it is. Powdered milk as well as milk from other animals are being used to make 'Ġbejna'. Enforcement will not be carried out properly if there are more than one similar PDO/PGI. MCCA only took the position that 'Ġbejna' is generic after objections from specific stakeholders.

IB: Should the revised PDO application be accepted at EU level, each producer involved in naming the product as 'Ġbejna tan-nagħaġ' must apply at MCCA, so that their process is audited, and they may use the PDO logo.

CB: MAYA foundation is familiar with the PDO process. However, it is concerned about what will happen in 5 years' time.

IB: Enforcement action will be taken if producers not certified by MCCA use the name 'Ġbejna tan-nagħaġ' and the PDO logo for their product.

CB: Xirka should be concerned about what will happen in the future.

JB: MaYA foundation has made its objections, but it will still accept the decisions made by MCCA.

CB: MaYA foundation is against the protection of the name 'Ġbejna tan-nagħaġ'. The foundation is concerned about future repercussions and the confusion which may arise on the market. All this confusion will be sanctioned by quality labels.

JB: MaYA foundation sustains its opinion, and its objections have been made public. Therefore, there is no scope for further discussion. Currently there are producers selling 'Ġbejna' made from other milk sources. One may argue that if the PDO is obtained, there will be enforcement on the market. However, if there are several protected similar cheeses made from different milk sources, there will be confusion on the market. Studies and research claim that the name 'Ġbejna' is not generic.

IB: This objection submitted by MaYA foundation has been noted and taken into consideration.

The PDO application may be revised with respect to the 'qanniċ' issue. MaYA foundation does not agree with the use of the desiccator in the drying process, whereas Xirka wants to maintain the option to use the desiccator in case of unfavourable weather conditions.

CB: MaYA foundation proposes that when 'Ġbejna' is dried in air-assisted chambers, it will be sold as 'Ġobon' or a different name other than 'Ġbejna'.

LF: Xirka may revise the statement with respect to the use of the 'qanniċ'. Xirka may specify that the desiccator may be used in case of unfavourable weather conditions.

CB: Reiterated his proposal that when 'Ġbejna' is dried in the desiccator, it must be sold as 'Ġobon'. This should not be an issue for Xirka. In fact, it will add more value to the authentic traditional product.

DB & JMB: The cost of the final product will not vary, whether it is labelled with the PDO logo or not. Xirka wants to obtain PDO registration to safeguard the product and encourage young people to continue working in this sector, especially in these times where animal feed costs are rising.

CB: As the situation stands nothing may be safeguarded. MaYA foundation agreed with Xirka's previous vision. However, due to the objections put forward on Xirka's initial PDO application, the application was rejected. Therefore, Xirka was forced to revise the

application. MaYA foundation does not agree with the way in which MCCAА interpreted the legislation.

LF: More than one objection was received with respect to the first PDO application. Research performed by Dr. A. Gruppetta, and Prof. E. Attard was used to compile the revised PDO application, and both agreed with the changes which were carried out in the application.

IB: The re-wording of the statements with respect to the use of the 'qannič' will be discussed with Xirka. This part of the production process must be controlled and well-documented.

LF: Xirka will discuss the 'qannič' issue and send the re-worded statement to MCCAА.

