Transmission of an established geographical
indication of spirit drinks

I. TECHNICAL FILE

1. Name and type
2. Name(s) to be registered

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| Fränkischer Obstler (de) |

1. Category

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| 9. Fruit spirit |

1. Applicant country(ies)

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| --- |
| Germany |

1. Language used for submission of application:

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| German |

1. Geographical indication type:

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| PGI — Protected geographical indication |

1. Contact details
2. Applicant name and title

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| Applicant name and title | Bundesministerium für Ernährung und Landwirtschaft (BMEL) [Federal Ministry of Food and Agriculture], Unit 434 (Wine, beer, beverages sector) |
| Legal status, size and composition (in the case of legal persons) |  |
| Nationality | Germany |
| Address | Rochusstrasse 1D-53123 Bonn |
| Country | Germany |
| Telephone | +49 (0)228 99529-0 |
| E-mail(s) | poststelle@bmel.bund.de, 434@bmel.bund.de |

1. Intermediary details
2. Interested parties details

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| --- | --- |
| Interested party name and title | 1. Bundesverband der Deutschen Spirituosen-Industrie und -Importeure e.V. (BSI) [Federal Association of the German Spirit Drinks Industry and Importers of Spirit Drinks]
2. Bundesverband der Obstverschlussbrenner e.V. [Federal Association of Bonded Fruit Spirit Distillers]
3. Bundesverband der Deutschen Klein- und Obstbrenner e.V. [Federal Association of German Small-Scale Distillers and Fruit Spirit Distillers]
4. Fränkischer Klein- und Obstbrenner-Verband e.V. Würzburg [Franconian Association of Small-Scale Distillers and Fruit Spirit Distillers]
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| Legal status, size and composition (in the case of legal persons) | Nos 1 to 4 are all registered associations (eingetragene Vereine, e.V.) |
| Nationality | Germany |
| Justification of the interest | Representation of the interests of Franconian distilleries and/or Franconian spirit drinks producers |
| Address | 1:Urstadtstrasse 2, D-53129 Bonn2:Kartäuserstrasse 120, D-79104 Freiburg3:Hardtstrasse 37, D-76185 Karlsruhe4:Am Kreuz 1, D-97332 Volkach-Obervolkach |
| Country | Germany |
| Telephone | +49 (0)228 53994-0 |
| E-mail(s) | info@bsi-bonn.de,info@obstbrenner.com,erdrich@obstbrenner.de,andrea.baetz@web.de |

1. Competent control authorities details
2. Control bodies details
3. Description of the spirit drink

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| Title — Product name | Fränkischer Obstler |
| Physical, chemical and/or organoleptic characteristics | Brief description of the spirit drink:‘Fränkischer Obstler’ — also referred to as ‘Fränkischer Obstbrand’ or ‘Fränkisches Obstwasser’ — is produced only in Franconia from Franconian apples and pears, by fermentation and subsequent distillation. |

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|  | * Actual alcoholic strength of the fruit distillates (after distillation): 60-85.9 % vol., depending on the distillation conditions;
* Actual alcohol strength of the ready-to-drink spirit: at least 38 % vol.;
* Clarity: clear;
* Colour: colourless or, for products matured in wooden casks, yellowish, reddish, brownish;
* Smell: typical apple and pear aroma;
* Taste: aromatic apple and pear bouquet, mild and typical of the variety;
* Food additives or other substances used: none, except water to reduce the high alcoholic strength of the distillates to drinking strength.
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| Specific characteristics (compared to spirit drinks of the same category) | * ‘Fränkischer Obstler’ is produced only in Franconia from apples and pears grown in Franconia.
* ‘Fränkischer Obstler’ has a minimum alcoholic strength of 38 % vol., which is higher than the minimum alcoholic strength of 37.5 % vol. laid down for fruit spirits in EU law.
* Even for products matured in wooden casks, no colouring agents are used, not even ‘caramel’ for colour-balancing purposes.
* No sweetening products are added to the distillates, or to the final products to round off the taste.
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1. Defined geographical area

a. Description of the defined geographical area

‘Fränkischer Obstler’ is produced only in Franconia from Franconian apples and pears. The territory of Franconia comprises the government regions of Unterfranken, Mittelfranken and Oberfranken in Bavaria.

Reduction of the high alcoholic strength of the fruit distillate(s) to drinking strength by adding water, bottling or decanting into other suitable sale containers, and labelling and packaging, may also take place outside the defined geographical area.

b. NUTS area

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| DE2 6 | Unterfranken |
| DE2 5 | Mittelfranken |
| DE2 4 | Oberfranken |

1. Method for obtaining the spirit drink

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| Title — Type of method |  |
| Method | The first production step to obtain ‘Fränkischer Obstler’ involves crushing the apples (Malus domestica Borkh.) und pears (Pyrus communis L.), which have been freshly harvested exclusively within the defined territory of Franconia. It should be ensured that only ripe, healthy and clean apples and pears are used. The apples and pears used are generally of traditional varieties produced mostly on scattered, tall standard trees in Franconia. The crushed fruit is placed in a tank or a cask (maceration).The second step comprises fermentation of the macerated fruit, pure-bred yeasts generally being added at this stage. Genetically modified yeasts are not used. During fermentation, which takes place at a controlled temperature and following a set procedure, the sugar in the apples and pears is converted into alcohol and carbon dioxide. On average, the fermentation process usually takes between two and six weeks. Once fermentation is complete, the fermented mash is stored for a few more weeks to develop the typical apple and pear aromas. The alcohol content of the fermented, stored mash is 6-8 % vol.The third production step is the distilling of the fermented fruit mash. In practice, various designs of distilling equipment (known as stills) are used for this purpose. Depending on the type of distilling equipment (a still with or without enrichment trays), the mash is distilled once or twice to less than 86 % vol. For the most part, copper stills with enrichment trays are now used, so the fruit mash is distilled only once, which not only saves energy but also retains the apple and pear aromas better. Specifically in Franconia there have traditionally been thousands of small-scale distilleries (known as ‘Abfindungsbrennereien’) which, under the excise legislation in force, are allowed only to have stills with a maximum capacity of 150 litres and three enrichment trays.The fourth production step, following distillation, is storage (e.g. in an earthenware vessel, stainless steel tank, etc.) and/or maturing in appropriate containers. Casks made of ash or chestnut wood are often used to ensure that the distillate remains colourless. Nevertheless, some producers of Fränkischer Obstler also use oak casks and sometimes used bourbon or rum casks.After storage or maturing, the fifth production step is the finishing process, which includes the following steps:- (possibly) blending of different fruit distillates;- reducing the high alcoholic strength of the fruit distillate(s) to drinking strength by adding water;- bottling or decanting into other suitable sale containers; and- labelling and packaging.No food additives, other colour-balancing substances or sweetening products are added to ‘Fränkischer Obstler’.The age-old Purity Law applicable to ‘Fränkischer Obstler’ furthermore stipulates that no wood chips or wood inserts may be used to help the fruit distillates mature. |

1. Link with the geographical environment or origin

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| Title — Product name | Fränkischer Obstler |
| Details of the geographical area or origin relevant to the link | Meadow orchards have always been a feature of the farming landscape of Franconia. Tall standard apple and pear trees thrive in all parts of the defined geographical area.On account of the plentiful supply of raw materials, a distilling tradition, which is now centuries old, developed in Franconia. Franconia’s small-scale distillers, whose products include ‘Fränkischer Obstler’, have together formed the Franconian Association of Small-Scale Distillers and Fruit Spirit Distillers, which was set up in 1914.‘Fränkischer Obstler’ is a particular speciality of the region with a long tradition and was, for instance, a sought-after black market product during the war years. |

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|  | Since 15 December 1989, when the first European Spirit Drinks Regulation (Regulation (EEC) No 1576/89) entered into force, the name ‘Fränkischer Obstler’ has been a protected geographical indication in the European Union. The second Spirit Drinks Regulation (Regulation (EC) No 110/2008), which entered into force on 20 February 2008, confirmed its protected status. |
| Specific characteristics of the spirit drink attributable to the geographical area | The particular soil and climate of Franconia are ideal for the apples and pears traditionally grown there and contribute to a balanced sugar-to-acidity ratio that is reflected in the distillate’s sensory properties.These specific organoleptic properties involve a combination of delicately spicy, lemon-fresh, fruity green apple flavours and melt-in-the-mouth caramel, nut purée and vanilla-sweet pear flavours. This creates a distinctive product packed with diverse and harmonious fruit flavours.This outstanding characteristic means that ‘Fränkischer Obstler’ has a reputation of being highly regarded by consumers and as a typical Franconian product which is firmly rooted in Franconian culture and cuisine, and is directly associated with the meadow orchards that shape the landscape. These orchards are found throughout Franconia due to its small-scale agricultural structure; they can be found on the banks of rivers and streams, as well as on land not suited to farming and the hillside areas of the Franconian highlands.Above all, it is the wide range of old and rare apple and pear varieties found in these meadow orchards — varieties that have long been proven in scattered orchard growing — which demonstrably gives ‘Fränkischer Obstler’ its typical flavour.In order to identify Franconia’s pome fruit varieties, from August 2007 to July 2010, the Würzburg District Authority carried out a research project in conjunction with the *Bayerische Landesanstalt für Weinbau und Gartenbau* (Bavarian State Institute for Viticulture and Horticulture — LWG) in Veitshöchheim. As part of this, the wide range of apple and pear varieties was recorded by mapping the scattered orchards.More information can be found on the following websites:[www.streuobst-mainfranken.de](http://www.streuobst-mainfranken.de/)[www.landkreis-wuerzburg.de](http://www.landkreis-wuerzburg.de/)[www.lwg.bayern.de](http://www.lwg.bayern.de/)The results of this research project are representative of all the other regions of Franconia. |

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|  | The book ‘*Äpfel und Birnen in Franken*’ (Apples and Pears in Franconia) by Edwin Balling, Alfons Miethaner and Wolfgang Subal, published by Paulusverlag and Echter Verlag, illustrates the work done in mapping the scattered orchards in the Würzburg administrative district.As part of the award scheme run by the Franconian Association of Small-Scale Distillers and Fruit Spirit Distillers in Würzburg, which has been a regular occurrence for the past 60 years, ‘Fränkischer Obstler’ is listed as its own pome fruit category, alongside apple, pear, Williams pear and quince. The products put forward for this come from all three of Franconia’s administrative districts. On average, products entered for this category make up 3.5 % of all products entered.In terms of its organoleptic qualities, ‘Fränkischer Obstler’ receives consistently positive assessments, due to the successful combination of apple and pear flavours, which again particularly distinguishes it from purely apple- or pear-based spirit drinks.Entering the term ‘Fränkischer Obstler’ into the appropriate internet search engines, e.g. Google, reveals a variety of websites with countless distilleries and food establishment in which the product is on offer.There are still thousands of small farm distilleries in Franconia and numerous small spirit drinks producers that make and market ‘Fränkischer Obstler’ of outstanding quality. In recent years, research by the Bavarian Institute for Viticulture and Horticulture in Veitshöchheim near Würzburg, has contributed to improving the quality of ‘Fränkischer Obstler’. This institute carries out analyses in the context of the competitive award scheme run by the Franconian Association of Small-Scale Distillers and Fruit Spirit Distillers in Würzburg. |
| Causal link between the geographical area and the product |  |

1. Requirements under EU, national or regional legislation

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| Title |  |
| Legal basis | Inter alia:* EU food legislation
* EU spirit drinks legislation
* national spirit drinks legislation (federal legislation).
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| Description of the requirement(s) | - Labelling rules- Product specifications |

1. Supplement to the geographical indication

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| Supplement to the geographical indication | Fränkischer Obstler |
| Definition, description or scope of the supplement | 1. Basic rules on supplements to the geographical indication ‘Fränkischer Obstler’:

Under current Union law on spirit drinks, the name ‘Fränkischer Obstler’ may be supplemented only by:* the terms specified under (b) to (d); or
* terms other than those specified under (b) to (d) which can be shown to have been in common use on 20 February 2008.
1. Supplementary names for ‘Fränkischer Obstler’:

Names such as ‘Fränkischer Obstbrand’ or ‘Fränkisches Obstwasser’ may also be used along with, and only in addition to, the trade name ‘Fränkischer Obstler’. As ‘Fränkischer Obstler’ as a protected geographical indication is the only stipulated sales designation, in accordance with the relevant EU food labelling legislation, the obligatory details of alcoholic strength and nominal quantity are located in the same visual field as ‘Fränkischer Obstler’.1. Supplements with other geographical indications:
* If ‘Fränkischer Obstler’ is marketed using the name of a region or place in Franconia (e.g. ‘Würzburger Obstler’), the supplementary geographical indication may be used in addition to the trade name ‘Fränkischer Obstler’. In order for such a supplementary indication specifying a geographical unit smaller than Franconia to be used, the apples and pears must come from that smaller geographical unit and the distillery must be located in that smaller geographical unit.
1. Supplements with other, non-geographical terms:

The geographical indication ‘Fränkischer Obstler’ may be accompanied by an indication of the ingredients in descending order of the types of fruit used, i.e. ‘apples and pears’ or ‘pears and apples’.- If details concerning maturing, ageing or storage are added to the name ‘Fränkischer Obstler’, the products labelled with such an indication must be stored or matured for at least 12 months.Indications of age are subject to the following rules:= If a product has been matured or stored for at least 12 months, it may be labelled with the precise length of maturing or storage in years or months, e.g. ‘matured for 14 months’ or ‘stored for 14 months’.= Products matured for three years may be labelled as ‘alt’ [old].Indications of age, such as ‘VSOP’, ‘VS’, etc., which are commonly used for wine spirits and Weinbrand/brandy are not used for ‘Fränkischer Obstler’.= If quality terms (e.g. ‘fein’ [fine], ‘Edel-’ [premium] or ‘Tafel-’ [table]) are added to the geographical indication ‘Fränkischer Obstler’, the products must be of significantly higher quality than standard products. Examples are:= the exclusive use of table fruit instead of windfalls;= the use of organically grown fruit or fruit from controlled integrated farming;= a higher actual alcohol content;= a particularly long storage period;= the use of special Franconian source or spring water; or= the use of particularly fine storage containers.- Products which have been produced entirely, i.e. distilled, reduced to drinking strength with water and bottled, in the same undertaking may additionally be labelled with the indication ‘destilliert und abgefüllt in der Brennerei’ (distilled and bottled at the distillery). |

1. Specific labelling rules

II Other information

1. Supporting documents

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| File name: | 2016-07-15 Antwortschreiben an KOM zu Fränkischer Obstler.pdf |
| Description: | Reply of 15 July 2016 to the Commission’s letter of 9 November 2015 |
| Document type | Other |

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| File name: | PGI-DE-02051 SINGLE DOCUMENT Stand 29-3-2016.rtf |
| Description: | Revised technical file with tracked changes |
| Document type | Product specification |

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| File name: | merkblatt\_erhaltung\_alter\_kernobstsorten\_im\_landkreis würzburg (1).pdf |
| Description: | Explanatory note |
| Document type | Other |

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| File name: | Äpfel und Birnen in Franken Intenet-Snapshot.docx |
| Description: | Cover page of a book on apples and pears in Franconia |
| Document type | Other |

2. Link to the product specification

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| Link: |  |