

## Section I. General Provisions

### ADMINISTRATION OF THE REGIONAL GOVERNMENT

#### REGIONAL MINISTRY OF AGRICULTURE, ENVIRONMENT AND TERRITORY

#### **13342 Order of the Regional Minister of Agriculture, Environment and Territory dated July 3, 2014, approving the Specifications for the Protected Geographical Indication "Almendra de Mallorca" / "Almendra Mallorquina" / "Ametlla de Mallorca" / "Ametlla Mallorquina" and regulating its Regulatory Council.**

"Almendra de Mallorca", "Almendra Mallorquina", "Ametlla de Mallorca" or "Ametlla Mallorquina" are the designations used for the fruit of the almond tree (*Prunus amygdalus*), traditional to the island of Mallorca, intended for human consumption and available raw or roasted, with or without skin.

The reputation of the names "Almendra de Mallorca", "Almendra Mallorquina", "Ametlla de Mallorca" and "Ametlla Mallorquina" is based on the connection between the almond itself and its geographical origin. This reputation has been built over time due to its unique taste, as well as its economic and gastronomic importance.

Such a reputation is evidenced by the excellent ratings given to Mallorcan almonds by consumers. According to the results of a consumer study conducted in 2010 by the "Institute of Agricultural Quality of the Balearic Islands", 52.4% of almond consumers consider that almonds from Mallorca are of higher quality, and 93.3% stated they have more flavor.

Historically, there are numerous bibliographic references that highlight the economic importance of almond cultivation in Mallorca. Some examples include the work "Die Balearen" (1869) by Archduke Ludwig Salvator, "Crónica de las Islas Baleares" by Fernando Fulgosio (1870), "El almendro y su cultivo en el mediodía de España e Islas Baleares" (1907) by Pedro Estelrich, and "Historia económica de España, Siglos X-XX" by Francisco Comín, Mauro Hernández, and Enrique Llopis. This economic importance endures to this day, as almond cultivation in Mallorca accounts for 49.7% of the area dedicated to fruit tree cultivation on the island.

Other historical references highlight the culinary uses of almonds and show that this product has had a significant influence on gastronomic culture, as it has been part of local tradition for centuries. There are numerous gastronomic references related to almonds, such as in "Libre del Sent Soví" (14th century), the cookbook by the Augustinian friar Jaume Martí and Oliver from the 18th century, "Libro de Recetas de Can Esteva" (1862) by Antonio Esteva Oliver, "Nuestra Cocina" by Luis Ripoll, and "Repostería Balear" by Catalina Juan del Corral (1987). The most traditional Mallorcan ice cream—almond ice cream—clearly stands out in the recipe book by Mateo Jaume from Ca'n Joan de S'Aigo (1884-1885), titled "Llibre de Jelats". The work "Die Balearen" (1869) by Archduke Ludwig Salvator mentions several popular dishes where almonds, either raw or toasted, are present. This influence of almonds in gastronomic culture is an undeniable and verifiable fact, as it is currently the main ingredient in traditional culinary creations such as nougat cakes, almond cake (gató), almond cookies (amargos), almond milk, or almond ice cream, and it is also the base of many sauces.

These culinary uses, and especially by tasting the almond, you can really appreciate its distinctive qualities, which have substantially contributed to the product's current reputation.

Especially noteworthy is the high lipid content and the fatty acid profile of almonds from Mallorca. This profile is characterized by the fact that the sum of oleic and linoleic acids exceeds 88% of the lipid content. On one hand, the lipid content is high, and on the other, 88% of the fatty acids have a low melting point, below 15°C, causing them to liquefy during chewing. Both factors together give the product its characteristic creaminess and intense aroma, attributes that have contributed to its good reputation.

These distinct physicochemical and organoleptic properties are significantly influenced by the edaphoclimatic conditions of the geographical area where almonds are produced. The calcareous soils with low organic matter, moderate rainfall, and high sunlight result in low yields per hectare but with a high average fat content (59%), which is higher than almonds from other regions. This fact was validated by a 2010 study from the University of the Balearic Islands.

The producers and processors' interest in maintaining the plantations and their product has led them to seek a designation under community legislation to protect the name and prevent unfair competition.

Thus, the Mallorcan Almond Promotion Association submitted an application to the Regional Ministry of Agriculture, Environment and Territory of the Balearic Islands Government in order to protect the designations "Almendra de Mallorca" / "Almendra Mallorquina" / "Ametlla de Mallorca" / "Ametlla Mallorquina" through a protected geographical indication.

On May 29, 2012, the Official State Gazette (Boletín Oficial del Estado, BOE) published a notice from the Directorate-General of Rural and Marine Environment of the Regional Ministry of Agriculture, Environment and Territory of the Government of the Balearic Islands, making the application for registration of the protected geographical indication "Almendra de Mallorca" / "Almendra Mallorquina" / "Ametlla de Mallorca" / "Ametlla Mallorquina" in the Community Register public and giving a two-month period to submit a statement of objection to this application.

By resolution of the Regional Minister of Agriculture, Environment and Territory of August 9, 2012 (published in BOIB No. 120 on August 18, 2012), a favorable decision was delivered regarding the application for registration of the Protected Geographical Indication in the Community Register. The list of conditions on which this favorable decision was based was also published.

The application for registration of the PGI "Almendra de Mallorca" was sent to the European Commission with a receipt date of September 11, 2012, and reference number ES-PGI-0005-01037.

On March 27, 2014, the Implementing Regulation (EU) No. 308/2014 was published in the Official Journal of the European Union, entering the names Almendra de Mallorca/Almendra Mallorquina/Ametlla de Mallorca/Ametlla Mallorquina in the Register of Protected Designations of Origin and Protected Geographical Indications. Therefore, it is appropriate to publish the Specifications for public awareness and application.

According to Article 4 of Decree 49/2004 of May 28, on the legal and economic system of regulatory councils and other management and control bodies of quality designations, groups of producers or processors of agricultural or food products and, in exceptional cases, an individual or legal entity, may request the recognition and regulation of a quality designations from the competent Minister of Agriculture of the Government of the Balearic Islands, which will necessarily include the regulatory council or equivalent entity responsible for its management and, if applicable, its control. Additionally, this regulation stipulates that the entry into force of the order recognizing the quality designations and approving the governing regulations of the regulatory council or equivalent entity, will mark the creation of the regulatory council or equivalent entity responsible for managing the quality denomination and, if applicable, its control, which will henceforth have its own legal form.

The Mallorcan Almond Promotion Association (Asociación del Fomento de la Almendra Mallorquina) agreed that the entity representing, defending, and promoting the PGI would be a Regulatory Council and proposed the composition of the provisional Regulatory Council (Consejo Regulator provisional).

As a result, it has become necessary to appoint individuals who will manage the Regulatory Council on an interim basis until the establishment of the elected Regulatory Council in accordance with Decree 139/2002 of November 22, which regulates the electoral process for the renewal of members of the Regulatory Councils for agri-food quality designations.

Article 30.43 of the Statute of Autonomy of the Balearic Islands, approved by Organic Law 1/2007 of February 28, states that the Autonomous Community has exclusive authority over designations of origin and other indications of provenance related to the products of the Autonomous Community. This authoritative power validates the approval of this regulation as established in Article 58.1 of the Statute.

On the other hand, Decree 5/2013 of May 2, by the President of the Balearic Islands, which determines the composition of the Government and establishes the structure of the Administration of the Autonomous Community of the Balearic Islands, stipulates that it is organized, among others, into the Regional Ministry of Agriculture, Environment and Territory (Consejería de Agricultura, Medio Ambiente y Territorio).

This process is completed through Decree 6/2013 of May 2, by the President of the Balearic Islands, which establishes the competencies and basic organizational structure of the regional ministries of the Administration of the Autonomous Community of the Balearic Islands, later modified by Decrees 15/2013 of June 7, and 1/2014 of January 31, by the President of the Balearic Islands, which establish the competencies and basic structure of the regional ministries of the Administration of the Autonomous Community of the Balearic Islands, and state that the Regional Ministry of Agriculture, Environment, and Territory has, among others, competency in matters of quality designations for food products.

Based on all this, and pursuant to article 38.2 b of Law 4/2001 of March 14 of the Government of the Balearic Islands, which states that regional ministers can issue regulatory provisions on matters pertaining to their departments when authorized by a law or government decree, and given the authorization to develop regulations on the quality designations of agri-food products granted to me by Decree 106/2002 of August 2, which authorizes the Regional Minister of Agriculture and Fisheries to issue regulatory provisions on the quality designations of agri-food products, and in agreement with / after consulting the Advisory Council, I hereby issue the following:

## **ORDER**

### **Sole article**

#### **Subject matter**

This Order aims to approve:

1. The Specifications for the Protected Geographical Indication "Almendra de Mallorca" / "Almendra Mallorquina" / "Ametlla de Mallorca" / "Ametlla Mallorquina", which can only be used for marketing almonds that meet the requirements listed in the Specifications approved and published in Appendix I.
2. The Regulations of the Regulatory Council for the Protected Geographical Indication "Almendra Mallorquina" which are published in Appendix II to this Order.

### **Sole additional provision**

#### **Call of election**

1. Elections for the full members will be called within 1 year from the effective date this Order.
2. The electoral process will be carried out in accordance with Decree 139/2002 of November 22, which regulates the electoral process for the renewal of members of Regulatory Councils of agri-food quality designations.

3. Until the establishment of the "Almendra Mallorca" Regulatory Council, the tasks assigned to it by this Order shall be performed by the provisional Regulatory Council formed according to Annex III.

#### **Sole repealing provision**

##### **Repealed Rules**

All provisions of similar status that contradict this Order are hereby repealed.

#### **Sole final provision**

##### **Effective date**

This Order will take effect the day after its publication in the Official Gazette of the Balearic Islands (BOIB).

Palma, July 3, 2014

**The Regional Minister of Agriculture, Environment and Territory**

Gabriel Company Bauzà

### **APPENDIX I SPECIFICATIONS**

#### **Protected Geographical Indication**

**"Almendra de Mallorca" / "Almendra Mallorca" / "Ametlla de Mallorca" / "Ametlla Mallorca"**

#### **A. Name of the Protected Geographical Indication**

The names to be protected are four: two in Spanish: "Almendra de Mallorca" and "Almendra Mallorca" and two in Catalan: "Ametlla de Mallorca" and "Ametlla Mallorca," which are consistently and frequently used in the market to identify this product.

#### **B. Product description**

##### 1. Definition.

"Almendra de Mallorca", "Almendra Mallorca", "Ametlla de Mallorca" or "Ametlla Mallorca" are the names given to the fruit of the almond tree (*Prunus amygdalus*) native to the island of Mallorca, which is intended for human consumption and is available raw or roasted, with or without skin.

##### 2. Varieties.

It includes a set of varieties and ecotypes that are perfectly adapted to the soil and climate conditions of Mallorca. They have morphological and organoleptic differences that are a result of the environment, hence their nickname "Mallorquina" or "de Mallorca."

##### 3. Characteristics.

They are sold whole, healthy, dry, and clean, and must have a size greater than 12 mm in the maximum transverse axis of the equatorial section. They should be free from fungus, parasites or insects, and without rancidity or strange odors or tastes.

Fruits that do not meet the described characteristics cannot be protected under this Protected Geographical Indication.

The following maximum tolerances will be allowed in percentage relative to the number of fruits:

Chunks (almonds missing more than a third of the nut)	1
Broken (almonds missing less than a third of the fruit)	2
Size (almonds with a size <12mm)	3

##### 4. Types and presentations.

Almonds can be sold raw or roasted. In both cases, they can come with or without the skin, depending on the presence or absence of the tegument.

##### 4.a Raw: almonds without the woody endocarp.

###### - Chemical properties:

- Moisture:  $\leq 6,5\%$
- Lipid content:  $\geq 55,0\%$  (of dry basis)
- Oleic and linoleic acid content:  $\geq 88\%$  of total lipids

###### - Organoleptic properties: skinless raw almonds have a white or ivory-colored surface and flesh, with a matte appearance.

Firm texture, slightly sticky, and with an oily feel. Slightly sweet taste, not sour or bitter. Intense aroma with hints of nuts. In the "with skin" version, the fruit is covered by its brown, rough-textured skin.

##### 4.b Toasted: almonds without the hard woody endocarp that undergo a roasting process.

- Chemical properties:
  - Moisture: <2,0%
  - Lipid content: ≥55% (of dry basis)
  - Oleic and linoleic acid content: ≥88% of total lipids

- Organoleptic properties: skinless, toasted almonds have a shiny appearance and a vanilla to light brown color, with a smooth and greasy touch. They have a hard, brittle, and crunchy texture. The taste is slightly sweet, not acidic or astringent, with a hint of bitterness from the roasting. Intense, roasted and caramelized aroma. In the "with skin" presentation, the fruit is covered by its dark brown skin, which is easy to peel off and is known for its brittleness.

### C. Geographical Area Definition

The production, storage, shelling, peeling, roasting, and packaging area extends across the entire island of Mallorca, located in the Autonomous Community of the Balearic Islands.

The figure below shows the location of Mallorca in the European continent.

**Figure 1. Location of Mallorca**

The island of Mallorca, with a total area of 3626 km<sup>2</sup>, is the largest island of the Balearic archipelago. It is located in the central-western part of the western Mediterranean, between the parallels 40°05'17'' and 38°40'27'' and the meridians 1°17'23'' and 3°50'23''.



### D. Key elements proving that the product is native to the region

The fundamental elements supporting the origin of the almond are controls and certification.

To ensure this, the following will be taken into account:

- To guarantee compliance with the Specifications and other applicable regulations, the following registers are managed:
  - Producers and plantations.
  - Handlers and bulk storage operators.
  - Shellers.
  - Blanchers.
  - Roasters.
  - Packers.
- Almonds come exclusively from plantations registered in the relevant register, located in the production area.
- The almonds are handled, roasted, and/or packaged only in facilities located in the production area and registered in the relevant register.
- Plantations, warehouses, industries, and products are subject to audits and controls conducted by a regulatory body to ensure that products covered by the Protected Geographical Indication meet the requirements of the Specifications.
- Controls are based on checks of the plantations, warehouses, and industries; including inspections of the documents, especially the traceability system to ensure the origin of all batches, and the physico-chemical and sensory analyses.
- If it's found that the almonds haven't been produced or handled according to the requirements of these Specifications and other applicable rules, or if they show any alterations or defects, they can't be sold under the Protected Geographical Indication.
- Each and every package includes, besides the standard labeling, an alphanumeric code label with a sequential number.

To monitor the entire process, almonds are tracked while travelling from the plantations to the distribution of the final product.

## **E. Production method**

### **1. Cultivation**

On the island of Mallorca, the agricultural land for almond cultivation is limestone-based, with a medium to hard consistency and a significant proportion of coarse elements, very low in organic matter. It has a tendency towards an alkaline pH, a high calcium carbonate content, and a structure with horizontal layers, where a large amount of fine clay accumulates, which can be easily accessed by the root system of the almond trees.

The plantations for production have a planting grid ranging from 5x3 to 11x11 meters. This setup allows for optimal water usage and sunlight exposure, as well as traditional sheep grazing.

Pruning tasks maintain the vase-shaped structure, which is traditional for almond trees in Mallorca. Typically, the height at which the main branches start is 0.8 meters or more, allowing for easier cultivation.

Maintenance pruning is generally done every 4 or 5 years to thin out and renew the top, aiming to improve air circulation and lighting for the tree, which results in better quality almonds. It also makes harvesting easier.

Necessary practices are carried out to control weeds and to help retain water in the soil. If any soil work is done, it should be superficial.

Fertilization is traditionally done using manure from the livestock grazing in the plantations, and also with green manure. Only if these methods are insufficient, supplementary fertilizers not originating from the plantation can be used.

Water supply for the plantations comes from the characteristic rainfall of Mallorca's climate and/or supplemental irrigation. No supplemental irrigation is done three weeks before harvesting to ensure the quality of the almonds.

The maximum allowable production per hectare is 4,500 kilograms.

In the early years of cultivation, the maximum allowed production is:

- First year: 0% of the allowed maximum
- Second year: 5% of the allowed maximum
- Third year: 25% of the allowed maximum
- Fourth year: 60% of the allowed maximum
- Fifth year: 80% of the allowed maximum
- Sixth year and beyond: 100% of the allowed maximum

The harvest takes place from the second half of August until the end of October. It's done either manually or mechanically using shaker systems and umbrellas, making sure to avoid any damage to the trees that could lower the quality of future fruits or cause infections. After the harvest, no more than 12 almonds should be left on each tree to ensure the quality of the next crop.

The membranous epicarp is removed manually or mechanically from the rest of the fruit, resulting in the almond in the shell ready for transport to the storage facility.

### **2. Processing**

Once at the processing facilities, the almonds undergo the following stages:

#### **2.a Reception:**

Upon receiving the almonds, their moisture level is checked. If the moisture content exceeds 6.5%, they undergo a drying process to bring it down to this level.

#### **2.b Storage:**

Almonds in the shell are stored in a clean, dry environment with enough natural ventilation and protected from direct sunlight.

Depending on the different forms of presentation, the processes that almonds undergo are as follows:

#### **2.c Shelling:**

Shelling involves removing the woody endocarp or shell. It includes the following steps:

1. The kernels are pre-moistened in a water bath for up to 24 hours.
2. Once moistened, they are cracked open using hammer machines or shellers.
3. The kernel is separated from the shell through screening and subsequent winnowing, using separating machines equipped with different-sized screens and air cyclones.
4. The obtained kernels are dried using hot air at a temperature between 40 and 60°C until they reach a moisture content of less than 6.5%.

#### **2.d Peeling:**

Peeling involves removing the skin from the almond. It includes the following steps:

- a) Pre-boiling for 3 to 4 minutes in water at a temperature above 90°C.
- b) Mechanical peeling by passing the almonds between two rubber rollers that separate the skin from the nut.
- c) Removing the skin using a constant airflow.
- d) Drying the peeled nut with hot air at a temperature of 40 to 60°C.

#### 2.e Roasting:

Roasting, only necessary for roasted almonds, takes place in ovens that ensure an even roast, at a temperature of 160°C±20°C for 45±10 minutes.

#### 2.f Packaging:

Packaging should be considered the final stage of processing and is crucial for preservation and ensuring the distinctive quality characteristics.

Isolating the product from the environment is essential to guarantee quality because an increase in the almond's water content will alter its chemical composition and affect its organoleptic properties. The only way to preserve the quality of almonds is by using suitable and well-sealed packaging that protects them from moisture. Therefore, packaging at the source aims to preserve their organoleptic properties over time.

The almonds protected by the Protected Geographical Indication are sold in batches with homogeneous characteristics and in packages not exceeding 25 kilos.

Packaging is done in the production area. These operations must be carried out in the designated geographical area in order to:

##### 2.f.1 Maintain typical characteristics and safeguard quality.

In Mallorca, there is a long tradition of producing and consuming the island's almonds. Packaging the almonds within the designated geographic area is crucial to protect their unique qualities and ensuring high standards. It means entrusting the producers and the supervisory structure of the Protected Geographical Indication with enforcing the handling and packaging rules for almonds. The experience of these groups allows them to adopt the right practices to guarantee the desired quality of the final product. In other words, the producers and handlers within the designated geographic area have the know-how to avoid procedures that could compromise the quality of Mallorca almonds, especially the presence of bitter almonds, rancidity, mold, and breakage.

What sets these almonds apart from others are their organoleptic properties. Since Mallorca is an island, transporting bulk almonds to areas outside the production zone involves a lengthy sea journey. Hence, the quality might be affected by humidity and temperature, altering the texture, flavor, and aroma, which may cause them to soften and/or become rancid, thus affecting the final quality.

##### 2.f.2 Ensure product traceability and origin.

The control and certification system guarantees the origin and traceability as long as the products are processed, handled, and packaged on the island; this does not apply if these processes are carried out outside the production area.

Almonds can be mixed with almonds from other sources, so if handling and packaging are allowed outside the designated geographic area, the guarantee of the origin of the protected almonds is compromised.

#### 3. Quality guarantee:

A self-monitoring system is in place, and through sampling and analysis, it is verified that the batches marketed with the Protected Geographical Indication meet the production, processing, chemical, and organoleptic requirements specified in this document.

### **F. Connection with the geographical environment**

The link between the almond, whether raw or roasted, and its geographical origin is based on the reputation of the names "Almendra de Mallorca", "Almendra Mallorquina", "Ametlla de Mallorca" and "Ametlla Mallorquina". This reputation has been built over time due to its organoleptic properties and its economic and gastronomic significance.

This reputation is evidenced by the excellent ratings given by consumers. According to the results of a consumer study conducted in 2010 by the "Institute of Agricultural Quality of the Balearic Islands", 52.4% of almond consumers consider that almonds from Mallorca are of higher quality, and 93.3% stated they have more flavor.

Another proof of its reputation is the abundant presence of the mentions "de Mallorca" and "Mallorquina" in connection with almonds, both in historical literature and currently on the Internet, in the press and other media.

Historically, there are numerous bibliographical references attesting to the economic importance of almond cultivation in Mallorca. Some examples include "Crónica de las Islas Baleares" by Fernando Fulgosio (1870), "El almendro y su cultivo en el mediodía de España y las Islas Baleares" (1907) by Pedro Estelrich, "Historia económica de España, siglos X-XX" by Francisco Comín, Mauro Hernández and Enrique Llopis, or the work "Die Balearen" (1869) by Archduke Ludwig Salvator. This economic importance endures to this day, as almond cultivation in Mallorca accounts for 49.7% of the area dedicated to fruit tree cultivation on the island.

Other historical references highlight the culinary uses of almonds and show that this product has had a significant influence on gastronomic culture, as it has been part of local tradition for centuries. There are numerous gastronomic references related to almonds, such as in "Llibre del Sent Soví" (14th century), the cookbook by the Augustinian friar Jaume Martí and Oliver from the 18th century, "Libro de Recetas de Can Esteva" (1862) by Antonio Esteva Oliver, "Nuestra Cocina" by Luis Ripoll, and "Repostería Balear" by Catalina

Juan del Corral (1987). The most traditional Mallorcan ice cream —almond ice cream— clearly stands out in the recipe book by Mateo Jaume from Ca'n Joan de S'Aigo (1884-1885), titled "Llibre de Jelats,". The work "Die Balearen" (1869) by Archduke Ludwig Salvator mentions several popular dishes where almonds, either raw or toasted, are present. This influence of almonds in gastronomic culture is an undeniable and verifiable fact, as it is currently the main ingredient in traditional culinary creations such as nougat cakes, almond cake (gató), almond cookies (amargos), almond milk, or almond ice cream, and it is also the base of many sauces.

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### **G. Control structure**

The control and certification of the Protected Geographical Indication will be carried out by a body accredited in compliance with the ISO/IEC 17065 standard.

### **H. Labeling**

The label of each package of almonds marketed under the Protected Geographical Indication must include:

1. the name of the Protected Geographical Indication,
2. the mention "Protected Geographical Indication" or the PGI logo, and
3. a label bearing a sequential alphanumeric code.

### **I. Legislative requirements**

- Royal Decree 1335/2011 of October 3, which regulates the procedure for processing applications for registration of protected designations of origin and protected geographical indications in the community registry, and objections to them.

- Law 1/1999 of March 17 on the Statute of agri-food producers and industries of the Balearic Islands.

- Decree 49/2004 of May 28 on the legal and economic system of regulatory councils and other management and control bodies of quality designation.

**APPENDIX II**  
**REGULATION ON THE PROTECTED GEOGRAPHICAL INDICATION “ALMENDRA DE MALLORCA” AND ITS**  
**REGULATORY COUNCIL**

**PART I**  
**GENERAL PROVISIONS**

**Article 1**

**Subject matter**

The aim of this regulation is to govern the Regulatory Council of the Protected Geographical Indication (PGI) “Almendra de Mallorca.”

**Article 2**

**Competent authorities**

The protection of the Protected Geographical Indication, the implementation of the regulations, the monitoring of compliance, as well as the promotion and quality control of the covered products, are entrusted to the Regulatory Council of the Protected Geographical Indication and to the Regional Ministry of Agriculture, Environment and Territory.

**PART II**  
**THE REGULATORY COUNCIL**

**Article 3**

**Definition and operation**

1. The Regulatory Council for the Protected Geographical Indication "Almendra de Mallorca" is a public law body with a partnership base, tasked with managing the Protected Geographical Indication, and with the duties determined by current regulations, as well as Decree 49/2004 of May 28 on the legal and economic system of regulatory councils and other managing and control bodies of quality designation and any other applicable regulations.

2. The Regulatory Council has its own legal form, economic autonomy, full legal capacity, and the ability to act to perform its duties. Regarding the legal system, the Regulatory Council is generally subject to private law, except in actions involving the exercise of public powers or functions, in which case they must adhere to administrative law.

3. The Regional Ministry of Agriculture, Environment and Territory will oversee the administrative supervision of the Regulatory Council.

4. The Regulatory Council's agreements that are not of a private nature and affect a multitude of subjects will be made public through circulars displayed in the Regulatory Council offices or through other information systems. Private agreements made by the Regulatory Council will be individually notified.

5. The agreements and decisions of the Regulatory Council regarding control will be communicated to the authorized certification bodies for almonds from the Protected Geographical Indication as well as to the Directorate-General of Rural and Marine Affairs within a maximum of 10 days from the adoption date thereof.

6. Appeals against the actions and agreements of the Regulatory Council, subject to administrative law, may be made to the Regional Minister of Agriculture, Environment and Territory within the period and according to the requirements established by the regulations governing the administrative procedure.

7. The internal structure and operation of the Regulatory Council will be governed by democratic principles.

8. The scope of the Regulatory Council's authority is determined by:

- a) In terms of territory, the production and processing area.
- b) In terms of products, those aimed at the Protected Geographical Indication at any stage of production, storage, shelling, peeling, roasting, packaging, and distribution.
- c) In terms of individuals, those physical or legal persons, or groups of such persons, registered in the different registers.

**Article 4**

**Purpose and duties**

1. The purpose of the Regulatory Council is to represent, defend, and promote the Protected Geographical Indication.

2. According to Decree 49/2004, the duties of the Regulatory Council are:

- a) *To suggest possible amendments to the regulation to the Regional Minister of Agriculture, Environment and Territory.*
- b) *To ensure the prestige and promotion of the Protected Geographical Indication.*
- c) *To guide the production and quality of certified almonds, and to promote and inform consumers about the Protected Geographical Indication, especially about its specific quality features.*
- d) *To ensure compliance with this regulation and its specifications, and to report any misuse to the appropriate administrative and judicial bodies.*



- e) *To manage the registries indicated in this regulation.*
- f) *To create and keep updated the lists of registered individuals and facilities for the Protected Geographical Indication.*
- g) *To set the minimum control requirements for each registered operator during all stages of production, processing, and marketing of the protected product. This includes the initial granting and maintenance of certification.*
- h) *To set the labeling requirements for protected products in relation to the Protected Geographical Indication.*
- i) *To establish annual yields, maximum production or processing limits, or any other yearly conditions that might affect these processes, within the maximum limits set by this Regulation and in line with quality improvement criteria.*
- j) *To issue certifications, seals, back labels, and/or control numbers, when necessary.*
- k) *To prepare production, processing, and marketing statistics for protected products and other required information, and to communicate this to the Directorate-General of Rural and Marine Affairs.*
- l) *To establish and manage mandatory fees for financing the Regulatory Council pursuant to the provisions of this Regulation.*
- m) *To draft the budgets and reports that must be approved according to the applicable regulations.*
- n) *To annually draft a report on activities and economic management, to settle the previous year's budget within the first half of the year, and to prepare the current budget of income and expenses before the end of the first quarter of the year. These documents must be approved by the Plenum and submitted to the Regional Ministry of Agriculture, Environment and Territory within 30 days of approval.*
- o) *To collaborate with competent authorities on protected geographical indications, particularly in maintaining official public registers and with official control bodies.*
- p) *To ensure the sustainable development of the production and processing area.*
- q) *To exercise the powers delegated or assigned by public administrations.*

3. The duties specified in section 2 are considered obligations as established by the applicable regulations in each case.

4. The Regulatory Council will adopt the necessary mechanisms to ensure the origin and quality of the products and the production, processing, storage, packaging, labeling, and distribution procedures.

5. The Regulatory Council will adopt and register an emblem as a symbol of the Protected Geographical Indication.

6. The Regulatory Council may make it mandatory for registered facilities to display an identification plate with the Protected Geographical Indication logo in a prominent place outside.

## **Article 5**

### **Composition of the Regulatory Council**

1. The bodies of the Regulatory Council of the Protected Geographical Indication are:

- a) The Plenum
- b) The President
- c) The Vice President
- d) The Secretary
- e) The Standing Committees

2. The procedure for electing the holders of these functions is determined by Decree 139/2002 of November 22, which regulates the electoral process for the renewal of members of the regulatory councils of agri-food quality designations.

3. To perform its activities, the Regulatory Council may hire staff under labor law, provided that funding for this purpose is approved in the budget.

4. To perform its assigned duties, the Regulatory Council may have the staff or services that are required, which will be led by whoever is designated by the Plenum of the Regulatory Council.

5. The members and staff of the Regulatory Council are required to maintain absolute confidentiality regarding the information and data gathered and/or made known to them over the course of their activities.

## **Article 6**

### **The Plenum**

1. The Plenum of the Regulatory Council will be made up of:

- a) A president, appointed by the Regional Minister of Agriculture, Environment and Territory on the Plenum's recommendation.
- b) A vice president, appointed by the Regional Minister of Agriculture, Environment and Territory on the Plenary's recommendation.
- c) Five members representing the production sector, elected by and among those registered in the Register of producers and plantations.
- d) Five members, one for each register from article 11.1. b to f, representing the handlers' sector, elected by and among those registered in the different registers (handlers and bulk storage operators, shellers, blanchers, roasters, and packers).
- e) Two expert members appointed by the Regional Minister of Agriculture, Environment and Territory with expertise in agricultural production and food technology, with a voice but no vote.

2. The elected members of the Plenum of the Regulatory Council are chosen through free, direct, equal, and secret voting among all members registered in the different registers managed by the Regulatory Council, in accordance with Decree 139/2002.

3. A single individual or legal entity cannot have dual representation in the Plenum of the Regulatory Council (one in the production sector and another one in the handlers' sector), either directly or through subsidiaries or partners of the same company.
4. For each board member position in the Regulatory Council, an alternate will be appointed, elected in the same way as the primary member.
5. Board members will be renewed every four years and may be re-elected.
6. If a board member steps down for any reason, their alternate will replace them, although the new board member's term will only last until the next full renewal of the Regulatory Council.
7. The deadline for the board members to take office will be a maximum of one month from the date of their appointment.
8. Board members may be dismissed if, during their term, they are penalized for a serious violation as stipulated by this Regulation, either personally or through their company.
9. Board members may also be dismissed for unjustified absence from three consecutive sessions or five alternate ones, for deregistering, or for no longer being linked to the sector they represent.
10. The Plenum of the Regulatory Council will be convened by the President, either on his/her own initiative or at the request of half the board members, and must be held at least once every quarter.
11. The Plenum sessions of the Regulatory Council:
  - a) Will be convened by personal communication to the members via any lawful means that confirms receipt, with at least eight days' notice.
  - b) The notice must include the meeting's agenda, and no other matters can be discussed besides those listed unless all members are present and the majority approves the urgency of an additional item.
  - c) To include a specific item on the agenda, it is enough if one board member requests it at least eight days in advance.
  - d) In case of need and urgency, as determined by the President or half the board members, they may summon board members as set out in point a) with at least 48 hours' notice.
  - e) Each session requires the presence of the President and Secretary or their alternates, and more than half of the members of the Plenum for it to be valid.
  - f) If members can't attend, they must inform the President or Secretary of the Regulatory Council and the alternate replacing them.
  - g) Decisions will be made by a simple majority vote by members entitled to vote. The President will have a casting vote. Proposals to amend the terms and/or this Regulation need the approval of two-thirds of the members entitled to vote.
  - h) Participants in the meetings are obligated to keep deliberations confidential and must not use any information they have access to in relation to third parties.
12. Decisions of the Plenary will be made by a majority of the members present.
13. The duties of the Plenum of the Regulatory Council include:
  - a) To manage the Protected Geographical Indication.
  - b) To approve the Quality Manual of the Protected Geographical Indication and send it to the Directorate-General of Rural and Marine Affairs.
  - c) To approve the current budget of income and expenses.
  - d) To approve the annual report of the activities carried out.
  - e) To approve the economic management report and the settlement of the previous year's budget.
  - f) To submit the proposal for president and vice president to the Regional Minister of Agriculture, Environment and Territory for their appointment.
  - g) To approve, if necessary, the organizational and operational regulations of the Regulatory Council, and to submit the ratification proposal to the Directorate-General of Rural and Marine Affairs.
  - h) Any other duties not assigned to another body of the Regulatory Council.

## **Article 7**

### **The President**

1. The President of the Regulatory Council acts as the legal representative of the Regulatory Council and chairs the collective body.
2. The President is responsible for:
  - a) Representing the Regulatory Council, a role that can be expressly delegated to a member of the Council when necessary.
  - b) Managing the income and funds of the Regulatory Council and authorizing the corresponding payments in accordance with the decisions of the Plenum.
  - c) Calling and chairing Plenum sessions, setting the agenda, submitting relevant matters for decision, and executing the adopted agreements.
  - d) Hiring, suspending, or renewing the staff of the Regulatory Council, with prior authorization from the Plenum.
  - e) Organizing and directing the services of the Regulatory Council.
  - f) Informing the competent administration about incidents in production and the market.
  - g) Sending to the Regional Ministry of Agriculture, Environment and Territory those agreements adopted by the Plenum for general compliance, as well as those deemed important by the President.

h) Any other duties assigned by the Plenum of the Regulatory Council or entrusted by public administrations within their respective competencies.

3. The term of office of President is four years, and they can be re-elected.

4. The President will step down:

- a) Upon expiration of the term of office.
- b) If they voluntarily resign and the Plenum accepts it.
- c) By a motivated decision from the Regional Minister of Agriculture, Environment and Territory proposed by the Plenum of the Regulatory Council.

5. In the event that the President steps down or passes away, the Plenum of the Regulatory Council will propose a candidate to the Regional Ministry of Agriculture, Environment and Territory within a month to appoint a new President. However, the term of the new president will only last until the first renewal of the Plenum.

## **Article 8**

### **The Vice President**

1. The Vice President is responsible for:

- a) Attending meetings of the Plenum of the Regulatory Council, with the right to speak but not to vote, except when acting as President.
- b) Assisting in the President's duties.
- c) Carrying out tasks specifically delegated by the President.
- d) Replacing the President in cases of vacancy, absence, or illness.

The term of office of Vice President will last as long as the term of the board members, unless any of the situations mentioned in the next point arise.

3. The Vice President will step down:

- a) Upon expiration of the term of office.
- b) At their own request, once their resignation is accepted.
- c) By a reasoned decision of the Regional Minister of Agriculture, Environment and Territory upon the recommendation of the Plenum of the Regulatory Council.

4. In the event that the Vice President steps down or passes away, the Plenum of the Regulatory Council will propose a candidate to the Regional Ministry of Agriculture, Environment and Territory within a month to appoint a new President. However, the term of the new Vice President will only last until the first renewal of the Plenum.

## **Article 9**

### **The Secretary**

The Regulatory Council will have a Secretary appointed by the Plenum on the President's proposal. The Secretary will report directly to the President.

The Secretary will be responsible for the general technical and administrative direction, management and coordination of the bodies, services and sections of the Regulatory Council. Further duties of the Secretary includes:

- a) To supervise and manage the staff serving the Regulatory Council.
- b) To draft the preliminary budget and the annual activity report of the Regulatory Council.
- c) To act as Secretary of the Plenum, with voice but without vote.
- d) To ensure compliance with current regulations, and to warn of any deviations that may occur.
- e) To convene meetings of the Plenum in the name and by order of the President.
- f) To issue certificates at the request of competent authorities or at the request of the interested parties.
- g) To execute the orders received from the President in accordance with the Regulations, the Quality Manual and current legislation.
- h) Any other duty assigned by current legislation or the Quality Manual.

## **Article 10**

### **Standing Commission**

1. To handle procedural matters, or in cases deemed necessary, a Standing Committee may be created with the President and two regular members: one from the producers' sector and another one from the sector of handlers, shellers, blanchers, roasters and packers, both of them appointed by the Plenum of the Regulatory Council.

2. In the session where the creation of the Standing Committee is agreed upon, the members thereof will be designated, and their specific missions and duties will also be determined. All resolutions made by the Standing Committee will be communicated to the Plenum of the Council at its next meeting.

## **PART III REGISTERS**

### **Article 11 Registers**

1. The Regulatory Council will keep the following registers:
  - a) Register of Producers and Plantations.
  - b) Register of Handlers and Bulk Storage Operators.
  - c) Register of Shellers.
  - d) Register of Blanchers.
  - e) Register of Roasters.
  - f) Register of Packers.
  
2. Registration applications for the various registers should be addressed to the Regulatory Council and submitted on standardized forms along with the following documents:
  - a) Identification of the individual or legal entity.
  - b) Identification of the plots or facilities.
  - c) Proof of ownership of the plots or facilities.
  - d) Sketch of the plot and/or facility location, along with a map indicating the location and layout of equipment and machinery for facilities.
  - e) Declaration confirming compliance with the requirements specified in the Specifications.
  
3. In order to register the different operators, the Regulatory Council must take the necessary actions to verify and check the information provided in the registration applications.
  
4. The Regulatory Council will reject applications that do not comply with the provisions of the Regulation or the agreements made by the Regulatory Council regarding additional technical requirements for almond trees and facilities.
  
5. If the applicant disagrees with the Council's decision regarding registration, they have the right to file an appeal with the Regional Ministry of Agriculture, Environment and Territory.
  
6. For registration to remain valid, it is essential to continually meet the requirements established in this title, as well as the conditions set out in the Specifications and the quality and procedure manual, and to report any changes affecting the initial registration data.
  
7. Registration in these registers does not exempt interested parties from the obligation to register in other registers generally established by the current legislation.

### **Article 12 Register of Producers and Plantations**

1. Only those plantations located in the production area, the almonds of which can be designated for the Protected Geographical Indication, may apply for registration in the Register of Producers and Plantations.
  
2. The following details will be listed in the registration: name of the operator, name of the beneficial owner, name of the farm, municipality, cadastral identification (plot and parcel) and production area.
  
3. The Regulatory Council will notify applicants in writing about the decision regarding the registration of the plantations.
  
4. The Regulatory Council will provide registered producers with a registration ID. The Regulatory Council will also provide individuals or facilities registered in the Register of Producers and Plantations with a producer document or card stating the registered almond production area, as well as the maximum allowable production for each season.

### **Article 13 Registration of Handlers and Bulk Storage Operators**

1. All handlers and bulk storage operators located in the production area and engaged in handling and storing bulk almonds under the Protected Geographical Indication must register in the Register of Handlers and Bulk Storage Operators.
  
2. The registration will include the following details: owner's name, location, and any other necessary information for the proper identification of the warehouse.

### **Article 14 Register of Shellers**

1. Everyone engaged in shelling almonds under the Protected Geographical Indication within the production area must register in the Register of Shellers.
  
2. The registration must include the following details: name of the owner, location, and any other necessary information for the proper identification of the facilities.

## **Article 15**

### **Register of Blanchers**

1. All blanchers who are located in the production area and are engaged in blanching/peeling almonds under the Protected Geographical Indication must register in the Register of Blanchers
2. The registration will include the following information: name of the owner, location, and any other necessary details for the proper identification of the facilities.

## **Article 16**

### **Register of Roasters**

1. All roasters who are located in the production area and are engaged in roasting almonds protected under the Protected Geographical Indication must register in the Register of Roasters.
2. The registration will include the following details: name of the owner, location, and any other information necessary for the proper identification of the facilities.

## **Article 17**

### **Register of Packers**

1. All those who are located in the production area and are engaged in packaging almonds protected under the Protected Geographical Indication must register in the Register of Packers.
2. The registration will include the following information: name of the owner, location, and any details necessary for the proper identification of the facilities.

## **Article 18**

### **Effectiveness of registration**

1. For registration to remain valid, operators must always meet the requirements set by this Regulation, the Specifications, and the agreements of the Regulatory Council.
2. The operator must inform the Regulatory Council about any changes affecting the information provided during registration. If these changes impact certification, a favorable report from the certification body is required, which must be submitted to the Regulatory Council.
3. The Regulatory Council can revoke registrations if the holders fail to comply with these rules.
4. The Regulatory Council will conduct periodic checks to verify the accuracy of registrations and take appropriate measures to ensure compliance with applicable rules.
5. Registrations in the different registers will be renewed every four years as determined by the Regulatory Council.
6. Registrations and cancellations in the records are voluntary. Once an operator is deregistered, a year must pass before they can register again in the same register, except in cases of change of ownership.

## **PART IV RIGHTS AND OBLIGATIONS**

## **Article 19**

### **Holders of rights and obligations**

1. Only individuals or legal entities that have registered plantations or facilities can produce, receive, store, shell, blanch, roast, package, and/or sell almonds processed under the Protected Geographical Indication.
2. The Protected Geographical Indication can only be applied to almonds coming from registered plantations and/or facilities, produced and processed according to the standards required by the Specifications and this Regulation, and that meet the analytical and organoleptic properties typical of the Protected Geographical Indication.
3. Only operators certified by a certifying body can market almonds with a Protected Geographical Indication.
4. The right to use the Protected Geographical Indication in advertising, documents, or labels is exclusive to the companies registered and for the almonds protected by the Protected Geographical Indication.
5. Registered persons are obliged to comply with the provisions of this Regulation, the agreements of the Regulatory Council, as well as the rules and agreements issued by the competent authorities of the Autonomous Community of the Balearic Islands, Spain and the European Union.
6. Such persons registered in the registers are obliged to pay the fees approved by the Plenum of the Regulatory Council.

7. To exercise any right established in this Regulation or to benefit from the services of the Regulatory Council, the owners of registered plantations or facilities must stay up-to-date with their financial obligations to the Regulatory Council.

8. The Regulatory Council will submit the agreements affecting the rights and obligations of those registered to the Director General of Rural and Marine Affairs for approval.

#### **Article 20**

##### **Allowed and prohibited activities**

1. In the facilities registered with the different registers of the Regulatory Council as provided for in this Regulation, only almonds from plantations registered in the Register of producers and plantations of the Protected Geographical Indication may be received, stored, handled, shelled, blanched, roasted, or packaged.

2. However, the Regulatory Council may authorize facilities to receive, store, handle, shell, blanch, roast, or package almonds from plantations in the production area that are not registered. In any case, these operations, and the handling and storage of the products obtained, must be carried out separately from those that qualify for the Protected Geographical Indication and always ensuring their traceability.

#### **Article 21**

##### **Specific identification guidelines**

The Regulatory Council will adopt and register a logo as the symbol of the Protected Geographical Indication, with prior approval from the Director General of Rural and Marine Affairs.

#### **Article 22**

##### **Labelling**

1. In accordance with applicable legislation, the packaging of packed almonds must prominently display the name and the mention of Protected Geographical Indication, or the abbreviation PGI.

2. Regardless of the type of packaging in which almonds are sold for consumption, they must have a control number assigned by the Regulatory Council, which must be placed at the facilities themselves and in a way that prevents reuse.

3. Almonds covered by the Protected Geographical Indication must be marketed in packaging that does not compromise their quality and reputation.

4. Before the labels for the certified almonds from registered companies are circulated, the Regulatory Council must authorize them in accordance with this Regulation to avoid discrediting the Protected Geographical Indication and to prevent confusion with protected almonds. The Regulatory Council will create a register of authorized labels for each facility and campaign.

5. The labeling, advertising slogans or any type of communication used for almonds under the Protected Geographical Indication cannot be used if it is misleading, even by the holders themselves, in the marketing of other almonds.

6. The packaging of almonds covered by the Protected Geographical Indication must be done exclusively by companies registered in the records, otherwise, they will lose the right to use the mention of the Protected Geographical Indication (IGP).

#### **Article 23**

##### **Product shipping**

1. Every almond shipment between registered operators, even if they are part of the same company, must be accompanied by a support document.

2. The requirement mentioned above also applies to almond shipments from a registered operator to an unregistered one.

#### **Article 24**

##### **Marketing requirements**

1. Any batch of almonds that for any reason shows defects, significant alterations or fails to comply with the regulations during production cannot be sold under the Protected Geographical Indication.

2. To ensure the quality of the almonds labeled with the Protected Geographical Indication, all almonds meant for final sale must be packaged in containers of no more than 25 kg.

3. The packaging of almonds under the Protected Geographical Indication must be carried out exclusively in facilities registered for packaging.

4. The owner of the packaging facilities is responsible for ensuring that the almonds marketed under the Protected Geographical Indication meet all the requirements of this regulation, especially those related to their origin and their chemical and organoleptic properties.

5. The facilities must have a self-control system in place to certify that all almonds to be marketed under the Protected Geographical Indication meet the requirements set out in the Specifications and this Regulation.
6. The almonds must be subjected to the necessary physicochemical and organoleptic analyses to ensure they meet the parameters and characteristics defined in the Specifications.
7. The facilities can conduct the analyses using their own resources as long as the results are recorded in a document that includes the batch identification. Based on the results, an assessment will be needed to determine whether the batch is suitable to be marketed as Protected Geographical Indication.

## **Article 25**

### **Duties of those registered in the registers**

1. Companies that receive, store, handle, shell, peel, roast or package almonds with Protected Geographical Indication must:
  - a) Maintain specific and separate accounting for these almonds.
  - b) Implement a self-control system that allows for the identification of all products in the facilities and ensures their traceability.
  - c) Identify the almonds destined for the Protected Geographical Indication and physically separate them from others in the facilities. Identification implies numbering and labeling, to be recorded in the accounting records of the facilities.
  - d) Make the required communications and declarations as stipulated in the following Article, in the form and within the deadlines established.
2. Producers must show the Producer Card when delivering almonds to the facilities so they can be designated for the Protected Geographical Indication. The Regulatory Council may opt to replace the Producer Card with another document or technical control method that verifies the origin, quantity, and destination of the almonds produced by each producer.
3. Operators must adopt appropriate measures at any stage of production, reception, storage, handling, shelling, peeling, roasting, packaging or marketing to prevent the sale of any almonds intended for the Protected Geographical Indication that do not meet the requirements and/or characteristics, and identify those products that cannot be designated for the Protected Geographical Indication.
4. Before beginning the marketing of almonds covered by the Protected Geographical Indication, the owners of the facilities must show to the Regulatory Council the documents issued by the certification body authorizing them to carry out this activity.
5. For registration to remain valid in the respective registers, it is indispensable to comply at all times with the requirements established in this Regulation. The facilities must inform the Regulatory Council of any changes regarding the information provided at the time of registration.
6. By the mere act of registering in the respective registers, the registered individuals or legal entities are obliged to comply with the provisions of this Regulation, the agreements of the Regulatory Council and the decisions of the certification body and competent authorities on matters of protected geographical indications. Additionally, they are required to pay the fees established by the Regulatory Council.

## **Article 26**

### **Statements**

1. Operators registered in the Register of Producers and Plantations must submit to the Regulatory Council, in the manner it establishes, a declaration of the harvest obtained from each registered plot by the end of the harvest season, and in any case before November 30 each year. They must indicate the destination of the almonds and, if sold, the name and address of the buyer. Producer groups can submit a single declaration, attaching a list with names, quantities and other relevant data for each member.
2. Operators registered in the Register of Handlers and Bulk Storage Operators, Shellers, Blanchers, Roasters, and Packers must:
  - a) Notify the certification body and the Regulatory Council at least fifteen days before the harvest begins of their intention to handle almonds for that season eligible for Protected Geographical Indication.
  - b) Annually declare to the Regulatory Council, in the manner it establishes, the production data as of November 30 for the almonds from that season, indicating the origin of each batch. The declaration must include the amount of almonds obtained, a list of producers, the amount provided by each producer and the incoming almonds from other facilities.
  - c) Monthly declare to the Regulatory Council the almond outputs from the previous month as long as they have product inventory. This declaration must be submitted to the Regulatory Council before the 10th day of the following month.
  - d) Declare by January 30 each year the data related to distribution during the previous year, detailing the types, destination markets, economic value, and other data required by the Regulatory Council.
3. In accordance with current legislation, the declarations mentioned in this Article are purely for statistical purposes and cannot be provided or published in any form other than numerical, without any individual references.
4. The declarations mentioned above are independent of the general obligations established for the agri-food sector in the applicable legislation.

## **PART V FUNDING**

### **Article 27**

#### **Funding of the Regulatory Council**

1. The funding of the Regulatory Council will come from the following sources:
  - a) The rights that make up its assets and the returns from these.
  - b) The ordinary and extraordinary fees decided by the Plenum of the Regulatory Council based on budgetary needs. These fees must be paid by those registered in the various registries of the Regulatory Council.
  - c) Subsidies.
  - d) Compensation, donations and legacies of all kinds that are attributed and accepted by the Plenum of the Regulatory Council.
  - e) The amounts collected for services provided, whether created internally, as a result of delegation, or agreed upon with public or private bodies.
  - f) Those coming from levies and tax benefits.
  - g) Any other resource obtained in accordance with legal provisions and statutory rules.
2. The fees approved by the Plenum of the Regulatory Council are public and will be published and at least displayed at the offices of the Regulatory Council.
3. The Director General of Rural and Marine Affairs, either on her own initiative or at the request of the Plenum of the Regulatory Council, may demand an audit of the Regulatory Council, which will be carried out under the guidelines of the General Intervention of the Autonomous Community of the Balearic Islands.

### **Article 28**

#### **Accounting system**

1. The Regulatory Council must maintain accounting records guided by principles of truthfulness, accuracy, responsibility, and transparency.
2. Economic management should operate through a regular budget of income and expenses, valid for the calendar year. The budget must include sufficient economic resources to meet the obligations arising from normal operations.
3. The accounts of the Regulatory Council are subject to control and audit by the General Intervention of the Autonomous Community and the Audit Commission of the Balearic Islands.

## **PART VI CERTIFICATION SYSTEM**

### **Article 29**

#### **Certification bodies**

1. The monitoring and certification of the Protected Geographical Indication "Almendra de Mallorca" will be carried out by certification bodies accredited under ISO/IEC 17065 standards and authorized by the Director General of Rural and Marine Affairs.
2. The Regulatory Council may be accredited under the ISO/IEC 17065 standards to certify almonds under the Protected Geographical Indication "Almendra de Mallorca" and may also act as a certification body pending authorization from the Director General of Rural and Marine Affairs.
3. The Director General of Rural and Marine Affairs will set up a public and informative directory of authorized certification bodies related to the Protected Geographical Indication "Almendra de Mallorca."
4. The certification body must have a quality manual that outlines its quality policy, procedures and specific guidelines for certifying the Protected Geographical Indication "Almendra de Mallorca."
5. The certification body must make public the fees it will charge for each of its services.
6. The certification body will keep and make available to the competent authority, for a period of 5 years, the records, documents and data regarding the controls performed and the certifications issued.

### **Article 30**

#### **Certification process**

1. Operators registered in the registers established by this Regulation must provide proof of having the proper certification signed by the certifying body with the characteristics described in Article 29 in order to market almonds under the Protected Geographical Indication "Almendras de Mallorca."
2. Authorized certification bodies must have an updated list of operators qualified to market under the Protected Geographical Indication "Almendras de Mallorca."
3. Certification costs are to be paid by the operators who book the service.



4. Certification bodies must carry out the following actions before certification:

- a) To control the characteristics of the almond plantations and the production system. Specifically, they must check the planting framework, density, presence of old and/or bitter almonds on the trees, and cultivation practices.
- b) To verify that the volume of each type of almond marketed is justified according to the amounts of almonds acquired.
- c) To take samples and conduct analytical and organoleptic tests of batches of almonds identified as Protected Geographical Indication present at the facilities during the control visit and deemed suitable by the facilities. The sampled batches controlled by the certifying body must represent at least 5% of the total volume deemed apt by operators in each campaign.
- d) To conduct checks on the facilities where products are stored or handled, and request the registry books, in digital or paper format, support documents and other relevant documents. All documents must be available to the certifying body.
- e) To perform periodic checks on raw materials, the production process, packaging and labeling in order to ensure the traceability of the almond and compliance with other requirements of this Regulation.
- f) To conduct random and periodic stock assessments to verify the correlation between the volumes of raw material and in-process products, finished products present at the facilities and marketed products.
- g) To report quarterly to the Regulatory Council and the Directorate-General for Rural and Marine Affairs:
  - List of certified operators.
  - List of facilities temporarily or definitively suspended.
- h) To issue the certificate accrediting an operator's right to use the Protected Geographical Indication name for the almonds they intend to market.
- i) To report to the Directorate-General for Rural and Marine Affairs any circumstance they become aware of that could constitute an administrative infringement.

## **PART VII SANCTIONING SYSTEM**

### **Article 31 Sanctioning system**

The sanctioning system, where applicable, will be governed by Law 1/1999 of March 17 regarding the Statute of Agri-Food Producers and Operators of the Balearic Islands; Law 21/1992 of July 16 on Industry; Royal Decree 1945/1983 of June 22, which regulates violations and penalties in consumer defense and agri-food production; Law 30/1992 of November 26 on the legal system of public administrations and common administrative procedure; Decree 14/1994 of February 10, which approves the regulation of procedures to be followed by the Administration of the Autonomous Community for the exercise of sanctioning power; as well as the rest of the current applicable legislation.

## **APPENDIX III PROVISIONAL REGULATORY COUNCIL**

Composition of the Provisional Regulatory Council:

President: Juan Morey Darder, with ID number 41403211-Z  
Vice President: Antoni Garcias Simón, with ID number 43030189-H

Members representing the production sector:

Miguel Pons Morro, with ID number 78213624-P  
Gabriel Torrens Llabres, with ID number 78208340-Z  
Matias Balaguer Mas, with ID number 41403800-M  
María Jerónima Bonafé Ramis, with ID number 43005127-A  
Margarita Capó Abrines, with ID number 78206664-V

Members representing the handling sector:

Handlers and bulk storage operators: Beatriz Losada González, with ID number 34260505-G  
Shellers: Georgina Brunet Ródenas, with ID number 40559644-H  
Blanchers: Antonio Martorell Cerdà, with ID number 41196879-S  
Roasters: Bartolomé Melis Nicolás, with ID number 78207368-P  
Packagers: Alejandro Aristondo Arvidsson, with ID number 18223016-R

Secretary, María Francisca Parets Amengual, with ID number 43007534-H