

Geographical Indications for wine, spirit drinks and agricultural products

2022/0089(COD) - 28/02/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 520 votes to 19, with 64 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on European Union geographical indications for wine, spirit drinks and agricultural products, and quality schemes for agricultural products, amending Regulations (EU) No 1308/2013, (EU) 2017/1001 and (EU) 2019/787 and repealing Regulation (EU) No 1151/2012.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the Commission's proposal as follows:

Subject matter

This Regulation lays down the rules on the following quality schemes:

- (a) **protected designations of origin and protected geographical indications** for wine, protected designations of origin and protected geographical indications for agricultural products, including foodstuffs, as referred to in Article 5(1), point (c), and geographical indications for spirit drinks;
- (b) **traditional specialities guaranteed** and optional quality terms, as set out in Title III, Chapters 2 and 3 respectively, for agricultural products, including foodstuffs.

Unitary and exhaustive system of geographical indications

The system should:

- ensure that **producers** acting collectively have the necessary powers and responsibilities to manage the geographical indication concerned, including in order to respond to societal demands, such as for animal health and welfare, for products resulting from sustainable production in its three dimensions of economic, environmental and social value, and to operate and be competitive in the market;
- contribute to **fair competition** and generate added value with the aim of sharing that added value across the marketing chain, in order to ensure a fair return for producers and a capacity to invest in the quality, reputation and sustainability of their products, as well as contributing to the achievement of **rural development policy** objectives by providing support to agricultural and processing activities, preserving know-how and promoting specific quality products due to the geographical area where they are produced;
- ensure that consumers receive reliable information and necessary guarantee of the origin, authenticity, quality, reputation and other characteristics linked to the geographical origin or the geographical environment of such products and can readily identify them in the marketplace including in electronic commerce;
- ensure the efficient and user-friendly **registration** of geographical indications taking into account the appropriate protection of intellectual property rights;
- ensure effective **controls**, enforcement and place on the market throughout the Union, including in electronic commerce, thereby ensuring the integrity of the internal market; and

- contribute to the effective protection of **intellectual property rights** related to such products in third country markets.

Protection of geographical indications online

Geographical indications should be better protected online. The Regulation pays particular attention to enforcing the protection of geographical indications against domain names that infringe this protection. Competent national authorities should have the tools to react to an infringement of the protection of a geographical indication by a registered domain name.

Consequently, in the exercise of their official control tasks, these authorities will be able to take measures to **disable access** from the territory of the Member State concerned to domain names registered in violation of the protection of geographical indications. An **information and alert system** for domain names will be set up by the EU Intellectual Property Office (EUIPO).

Use of geographical indications designating a product used as an ingredient in the name of a processed product

The amended text stipulates that the geographical indication designating a product used as an ingredient in a processed product may be used in the name of that processed product, or in its labelling, or in its advertising material where: (a) the processed product does not contain any other product comparable to the ingredient designated by the geographical indication; (b) the ingredient designated by the geographical indication is used in sufficient quantities to confer an essential characteristic on the processed product concerned; and (c) the percentage of the ingredient designated by the geographical indication in the processed product is indicated in the label.

A recognised producer group should be notified by the producers of the processed product and may issue recommendations on the correct use of the GI.

More rights for GI producers

GI producers should prevent or counter any measures or commercial practices that are detrimental to the image and value of their products, including devaluing marketing practices.

Where agricultural products are designated by a geographical indication, an **indication of the name of the producer or operator must appear on the labelling in the same visual field as the geographical indication**. The same will apply in the case of spirit drinks designated by a geographical indication. The name of the operator is understood to be the name of the operator responsible for the production stage at the end of which the product covered by the geographical indication is obtained, or responsible for the substantial transformation of this product.

A **producer group** may take appropriate action to ensure the protection of the geographical indication and the intellectual property rights directly linked to it, including taking legal action and making applications to the customs authorities, and preventing or countering any measure or commercial practice which damages or is likely to damage the reputation or value of the geographical indication concerned.

Sustainability

A producer group, or a recognised producer group where such a group exists, may agree on sustainable practices to be adhered to in the production of the product designated by a geographical indication or in

carrying out other activities subject to one or more obligations provided for in the product specification. Such practices should aim to apply **sustainability standards higher** than those laid down by Union or national law in terms of environmental, social or economic sustainability or animal welfare.

A producer group, or a recognised producer group where such a group exists, may prepare and regularly update a sustainability report based on verifiable information, comprising a description of existing sustainable practices implemented in the production of the product.

Application for registration

An application for registration of a geographical indication at Union stage should be submitted to the Commission electronically, through a digital system. The Commission should examine applications for registration. The examination should not exceed a period of **six months** from the day of the reception of the application.

The EUIPO should maintain and keep the Union register up-to-date with respect to registrations, amendments and cancellations of geographical indications.

Specific rules on sourcing of feed and of raw materials, and on slaughtering

In respect of a product of animal origin, the name of which is registered as a designation of origin, feed should be sourced entirely from within the defined geographical area. Insofar as sourcing entirely from within the defined geographical area is not practicable, feed sourced from outside that area may be added, provided that the product quality or characteristics essentially due to the geographical environment are not affected. The amount of feed sourced from outside the defined geographical area should not exceed 50 % of dry matter on an annual basis.