Procedure file

Basic information

COD - Ordinary legislative procedure (ex-codecision procedure) 2022/0089(COD)
Regulation

Procedure completed

Geographical Indications for wine, spirit drinks and agricultural products

Repealing Regulation 2012/1151 2010/0353(COD)
Amending Regulation 2013/1308 2011/0281(COD)
Amending Regulation 2017/1001 2016/0345(COD)
Amending Regulation 2019/787 2016/0392(COD)

Subject
2.10.03 Standardisation, EC/EU standards and trade mark, certification, compliance
3.10.03 Marketing and trade of agricultural products and livestock
3.10.06.08 Wine, alcoholic and non-alcoholic beverages
3.10.10 Foodstuffs, foodstuffs legislation
4.60.02 Consumer information, advertising, labelling

Legislative priorities
Joint Declaration 2023-24

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AGRI Agriculture and Rural Development		04/04/2022
	S&D DE CASTRO Paolo	
	Shadow rapporteur	
	epp AMARO Álvaro	
	epp SANDER Anne	
	renew europe. TOLLERET Irène	
	GRUFFAT Claude	
	ECR AGUILAR Mazaly	
	LIZZI Elena	
	RODRÍGUEZ PALOP Eugenia	

Committee for opinion	Rapporteur for opinion	Appointed
INTA International Trade		09/06/2022
	LANCINI Danilo Oscar	
ENVI Environment, Public Health and Food Safety	The committee decided not to	

		give an opinion.	
	IMCO Internal Market and Consumer Protection	The committee decided not to give an opinion.	
	JURI Legal Affairs (Associated committee)	renew europe. VÁZQUEZ LÁZARA Adrián	13/07/2022
Council of the European Union			
European Commission	Commission DG	Commissioner	
	Agriculture and Rural Development	WOJCIECHOWSKI Janusz	
European Economic and Social Committee			

Key events

31/03/2022	Legislative proposal published	COM(2022)0134	Summary
07/04/2022	Committee referral announced in Parliament, 1st reading		
20/10/2022	Referral to associated committees announced in Parliament		
20/04/2023	Vote in committee, 1st reading		
03/05/2023	Committee report tabled for plenary, 1st reading	A9-0173/2023	
31/05/2023	Debate in Parliament		
01/06/2023	Decision by Parliament, 1st reading	T9-0210/2023	Summary
01/06/2023	Matter referred back to the committee responsible		
11/12/2023	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	GEDA/A/(2023)012101	
27/02/2024	Debate in Parliament		
28/02/2024	Results of vote in Parliament		
28/02/2024	Decision by Parliament, 1st reading	T9-0101/2024	Summary
26/03/2024	Act adopted by Council after Parliament's 1st reading		
11/04/2024	Final act signed		
23/04/2024	Final act published in Official Journal		

Technical information

Procedure reference	2022/0089(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)

Procedure subtype	Legislation
Legislative instrument	Regulation
	Repealing Regulation 2012/1151 2010/0353(COD) Amending Regulation 2013/1308 2011/0281(COD) Amending Regulation 2017/1001 2016/0345(COD) Amending Regulation 2019/787 2016/0392(COD)
Legal basis	Treaty on the Functioning of the EU TFEU 043-p2; Rules of Procedure EP 57_o; Treaty on the Functioning of the EU TFEU 118-p1
Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Procedure completed
Committee dossier	AGRI/9/08747

Documentation gateway

Legislative proposal		COM(2022)0134	31/03/2022	EC	Summary
Document attached to the procedure		SEC(2022)0197	03/05/2022	EC	
Document attached to the procedure		SWD(2022)0135	03/05/2022	EC	
Document attached to the procedure		SWD(2022)0136	03/05/2022	EC	
Economic and Social Committee: opinion, report		CES6620/2021	13/07/2022	ESC	
Document attached to the procedure		N9-0089/2022 OJ C 454 30.11.2022, p. 0112	18/07/2022	EDPS	
Committee draft report		PE736.493	18/10/2022	EP	
Amendments tabled in committee		PE737.394	28/11/2022	EP	
Amendments tabled in committee		PE738.756	28/11/2022	EP	
Amendments tabled in committee		PE739.502	28/11/2022	EP	
Committee of the Regions: opinion		CDR3736/2022	30/11/2022	CofR	
Committee opinion	INTA	PE731.609	30/01/2023	EP	
Committee opinion	JURI	PE736.693	31/01/2023	EP	
Committee report tabled for plenary, 1st reading/single reading		A9-0173/2023	03/05/2023	EP	
Text adopted by Parliament, partial vote at 1st reading/single reading		T9-0210/2023	01/06/2023	EP	Summary
Coreper letter confirming interinstitutional agreement		GEDA/A/(2023)012101	04/12/2023	CSL	
Text adopted by Parliament, 1st reading/single reading		T9-0101/2024	28/02/2024	EP	Summary
Draft final act		00072/2023/LEX	11/04/2024	CSL	
Commission response to text adopted in plenary		SP(2024)270	08/07/2024	EC	

Additional information

Research document	Briefing	16/01/2024

Final act

Regulation 2024/1143
OJ OJ L 23.04.2024 Summary

Geographical Indications for wine, spirit drinks and agricultural products

PURPOSE: to revise the system of geographical indications (GIs) for wines, spirit drinks and agricultural products with a view to facilitating the adoption of GIs throughout the Union as intellectual property instruments accessible to all farmers and producers of products, linked by characteristics or reputation, and to their place of production.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: Geographical indications (GIs) identify products that have qualities, characteristics or a reputation due to natural and human factors linked to their place of origin. They constitute an intellectual property right (IPR) designed to promote fair competition between producers by preventing bad faith uses of a name and fraudulent and deceptive practices. Today, the EU register of geographical indications contains almost 3 500 names of wines, spirit drinks, agricultural products and foodstuffs.

An evaluation published in December 2021 showed that the existing framework is effective and provides clear EU added value. However, it highlighted certain limitations, such as the low level of consumer awareness and understanding of GIs in some Member States, as well as the low level of enforcement of the legislation. It also pointed out that environmental sustainability and animal welfare could be taken into account more. Furthermore, the length and complexity of the registration and amendment procedures, both at national and EU level, are seen as the main nuisance for producers and source of administrative burden.

Therefore, the proposal meets the following general objectives: (i) to ensure effective IPR protection in the Union, including efficient registration processes, in order to reward producers fairly for their efforts; (ii) to increase the use of GIs throughout the Union for the benefit of the rural economy.

CONTENT: the proposal for the revision of the GI system consists of a set of rules designed to put in place a coherent system for GIs aimed at assisting producers to better communicate the qualities, characteristics and attributes of their GI products, and at ensuring appropriate consumer information. Moreover, the proposal clarifies and improves the traditional speciality guarantee (TSG) scheme while it makes no changes to the scheme for optional quality terms.

The proposal has the following specific objectives:

(1) improve the enforcement of GI rules to better protect IPR and better protect GIs on the internet, including against bad faith registrations and fraudulent and deceptive practices, and uses in the domain name system, and combat counterfeiting;

(2) streamline and clarify the legal framework to simplify and harmonise the procedures for application for registration of new names and amendments to product specifications. The different technical and procedural rules for geographical indications would be merged, resulting in a single simplified GI registration procedure for EU and third country applicants;

(3) contribute to making the Union food system more sustainable by integrating specific sustainability criteria. As a direct follow-up to the Farm to Table strategy, producers could highlight their actions in the field of social, environmental or economic sustainability in their specifications by setting the corresponding requirements;

(4) empower producers and producer groups to better manage their GI assets and encourage the development of structures and partnerships within the food supply chain. Member States should recognise GI producer groups at their request. Recognised groups would be empowered to manage, enforce and develop their GI, including access to anti-counterfeiting authorities and customs services in all Member States;

(5) increase correct market perception and consumer awareness of the GI policy and Union symbols to enable consumers to make informed purchasing choices. It is foreseen to make the use of EU symbols or indications on the packaging of products with a geographical indication obligatory in order to increase consumer awareness of this category of products and the related guarantees, and to facilitate the identification of these products on the market, thus facilitating controls;

(6) safeguard the protection of traditional food names to better valorise and preserve traditional products and production methods.

As regards the reduction of administrative burden, the proposal provides for technical assistance in the registration procedure by an existing EU agency and full exploitation of digital tools. The European Union Intellectual Property Office (EUIPO) will provide technical support in the monitoring process to help speed up procedures.

The new domain name information and alert system to be established by EUIPO will provide GI applicants with an additional digital tool as part of the application process to better protect and enforce their GI rights.

Geographical Indications for wine, spirit drinks and agricultural products

The European Parliament adopted, by 603 votes to 18 with 8 abstentions, amendments to 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 matter has been referred to the committee responsible for interinstitutional negotiations.

The regulation would lay down rules governing the following quality schemes: (a) protected designations of origin (PDOs) and protected geographical indications (PGIs) for wines, agricultural products and foodstuffs and geographical indications for spirit drinks; (b) traditional specialities guaranteed (TSGs).

Members stressed that high-quality products represent one of the biggest assets the Union has, both for its economy and cultural identity. Those products are the strongest representation of the made in the EU brand, recognisable throughout the whole world, which generate growth and preserve our heritage. Wines, spirit drinks and agricultural products are European assets that need to be further strengthened and protected.

Citizens and consumers have the right to expect any geographical indication and quality system to be backed up by a solid verification and control system, whether the product comes from the EU or a third country.

Geographical indications

The unitary and exclusive system of geographical indications, protecting the names of wines, spirit drinks and agricultural products which have characteristics, attributes or a reputation linked to their place of production, should: (a) help producers to obtain a fair return for the quality of their products; (b) contribute to the achievement of the objectives of rural development policy by supporting farming and processing activities and farming systems associated with high-quality products.

The system should:

- ensure that consumers receive reliable information and a guarantee of authenticity and traceability of the quality, reputation and other characteristics linked to the place of production of these products and can easily identify them on the market, including in the domain name system and in e-commerce;

- guarantee the simple, efficient and user-friendly registration of geographical indications, taking into account the uniform, appropriate and effective protection of intellectual property rights in the internal market, including the Union's digital markets;

- ensuring effective controls, enforcement, use and marketing throughout the EU, as well as in the domain name system and in e-commerce;

- preserving know-how and promoting and supporting local and regional products;

- ensure effective protection of the intellectual property rights of producers of these products on third-country markets.

According to Members, geographical indications should be better protected online.

Top level domain name registries and other domain name registries operating in the EU should revoke or transfer a domain name registered under that domain to the recognised producer group designated by the geographical indication concerned or to the competent authority of the Member State from which the geographical indication in question originates, if that domain name has been registered by its holder without any rights or legitimate interest in the geographical indication.

In particular, a producer group should be able to pursue legal action, including civil and criminal action, to ensure the offline and online protection of the geographical indication and the intellectual property rights directly related to it, including websites, domain names and e-commerce, and to claim damages.

The EUIPO should be empowered, under the delegated acts, to establish and manage an alert system monitoring registration of domain names in the Union which could conflict with the names included in the Union register of geographical indications.

Processed products

Parliament is calling for better protection of GIs in processed products. Processed products containing a GI ingredient should not be allowed to be named after the GI unless authorised to do so by the GI producers.

Commission scrutiny of registration applications

The examination period should not last more than five months from the date of submission of the application for registration. In duly justified cases, the scrutiny procedure could be extended by a maximum of three months. National authorities should handle most requests for changes to existing GI registrations without the Commission having to check them again.

The Commission should remain responsible for registration, amendment and cancellation procedures, due to a strong relationship with the Common Agricultural Policy and the expertise needed to ensure that the specificities of wines, spirit drinks and agricultural products are adequately assessed.

Producer groups

Producer groups should be given the means to better identify and market the specific characteristics of their products, as well as adequate resources to exercise their powers and responsibilities. Member States should be able to ensure that the contribution to the costs of exercising the powers and responsibilities of the recognised producer group is compulsory for all producers of products covered by the geographical indication concerned. A producer group could be set up on the initiative of interested producer groups.

Sustainability undertaking

To enable the adoption of sustainability commitments, producers should receive financial support, through pre-determined, specific and easily accessible funding, and should be properly informed of the opportunities arising from the adoption of sustainability commitments.

These commitments should contribute to one or more social, environmental or economic objectives, including:

- climate change mitigation and adaptation, including energy efficiency and decrease water consumption;

- preservation and sustainable use of soil, landscapes and natural resources;

- preservation of biodiversity and plants varieties, and transition to a circular economy;

- reduction of the use of pesticides, greenhouse gas (GHG) emissions and the use of antimicrobials;

- improving animal health and welfare;

- attracting and sustaining young producers of products benefiting from a protected designation of origin or a protected geographical indication;

- contributing to the valorisation of rural areas as well as cultural and gastronomic heritage.

Recognition of the European system

All EU geographical indications should be protected under bilateral and multilateral trade and other international agreements through the recognition of the European system as such. In this respect, the EU should make major commercial and diplomatic efforts to ensure the protection of traditional practices that bring together historical, cultural and gastronomic heritage while ensuring sustainable production.

Geographical Indications for wine, spirit drinks and agricultural products

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.

Geographical Indications for wine, spirit drinks and agricultural products

PURPOSE: to create a uniform protection of geographical indications, as well as the establishment of a system of protection for traditional specialities guaranteed and optional quality terms.

LEGISLATIVE ACT: Regulation (EU) 2024/1143 of the European Parliament and of the Council on geographical indications for wine, spirit drinks and agricultural products, as well as traditional specialities guaranteed and optional quality terms for agricultural products, amending Regulations (EU) No 1308/2013, (EU) 2019/787 and (EU) 2019/1753 and repealing Regulation (EU) No 1151/2012.

CONTENT: quality products represent one of the biggest assets that the Union has, both for its economy and for its cultural identity. Those products are the strongest representation of the made in the EU brand, recognisable throughout the whole world, which generate growth and preserve the Unions heritage. The regulation aims to improve the protection of geographical indications (GIs) and other quality schemes for wine, spirit drinks and agricultural products, both online and offline, while also simplifying the registration procedure for GIs.

Unitary and exhaustive system of geographical indications (GI)

The regulation provides for a unitary and exhaustive system of geographical indications, protecting the names of wine, spirit drinks and agricultural products having characteristics, attributes or reputation linked to their place of production, thereby:

- ensuring that producers acting collectively have the necessary powers and responsibilities to manage the geographical indication concerned;

- contributing to fair competition and generating added value with the aim of sharing that added value across the marketing chain;

- ensuring 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;

- ensuring the efficient and user-friendly registration of geographical indications taking into account the appropriate protection of intellectual property rights;

- ensuring effective controls, enforcement and placing on the market throughout the Union, including in electronic commerce, thereby ensuring the integrity of the internal market; and

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

Protection of geographical indications

Geographical indications entered in the Union register of geographical indications will be protected against:

- any direct or indirect commercial use of the geographical indication in respect of products not covered by the registration, where those

products are comparable to the products registered under that name or where use of that geographical indication for any product or any service exploits, weakens, dilutes, or is detrimental to the reputation of, the protected name, including when those products are used as an ingredient;

- any other false or misleading indication as to the provenance, origin, nature or essential qualities of the product that is used on the inner or outer packaging, on advertising material, in documents or information provided on online interfaces relating to the product concerned.

This protection will also apply to goods sold via distance selling methods, such as e-commerce, and to goods intended for export to third countries.

The regulation provides greater protection of a GI name designating an ingredient when it is used in the name of a related processed food; in those cases, recognised producer groups will be notified and the percentage of the ingredient will need to be indicated.

Union symbols, indications and abbreviations

In the case of agricultural products and spirit drinks originating in the Union that are marketed under a geographical indication, the Union symbol associated with it should appear in the labelling and advertising material. As regards the labelling, the geographical indication will appear in the same field of vision as the Union symbol. Where agricultural products are designated by a geographical indication, an indication of the name of the producer or operator should appear in the labelling, in the same field of vision as the geographical indication.

Producer groups

The new regulation:

- strengthens the role for producer groups by granting them power and responsibilities to manage their geographical indications, including to represent their members in intellectual property enforcement networks;

- provides for the possibility for Member States to designate producer groups as 'recognised producer groups' with exclusive rights to be exercised on behalf of all producers of the product designated by a geographical indication.

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.

Filing applications for registration at EU level

The Regulation confirms the Commission's role in examining applications for registration of products as geographical indications. An application for registration of a geographical indication at EU level should be filed with the Commission electronically, using a digital system. The Commission will examine the applications for registration. The examination must not take longer than six months from the date of receipt of the application.

Protection of geographical indication in domain names

The competent national authorities should have the tools to react to a violation of the protection of a geographical indication by a registered domain name. They should 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).

ENTRY INTO FORCE AND APPLICATION: from 13.5.2024.

Transparency

TOLLERET Irène	Shadow rapporteur	AGRI	21/09/2023	COPA COGECA
SANDER Anne	Shadow rapporteur	AGRI	20/09/2023	European Federation of Origin Wines Insight Consulting SRL
TOLLERET Irène	Shadow rapporteur	AGRI	20/09/2023	EFOW
DE CASTRO Paolo	Rapporteur	AGRI	19/09/2023	EFOW
DE CASTRO Paolo	Rapporteur	AGRI	19/09/2023	CONSORZIO CHIANTI
DE CASTRO Paolo	Rapporteur	AGRI	18/07/2023	SPANISH PERMREP
TOLLERET Irène	Shadow rapporteur	AGRI	04/07/2023	Internet Corporation for Assigned Names and Numbers (ICANN)
TOLLERET Irène	Shadow rapporteur	AGRI	30/03/2023	Associazione Giovani Imprenditori Vinicoli Italiani

AMARO Álvaro	Shadow rapporteur	AGRI	20/02/2023	spiritsEUROPE
LIZZI Elena	Shadow rapporteur	AGRI	15/02/2023	Confédération Européenne des Vignerons Indépendants
MITU?A Alin	Member	03/11/2023	Mirdatod	
MITU?A Alin	Member	02/11/2023	Bioforia	
LINS Norbert	Member	19/10/2023	Webers Backstube Friedrichshafen	
AGUILERA Clara	Member	07/02/2023	ASPROCAN	
DECERLE Jérémy	Member	17/12/2021	Fédération des viandes AOP	