

# New legislative framework for the EU system of Geographical Indications

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# New Regulation on GIs

## General objectives

- Strengthen the legislative framework on GIs by **enhancing protection** and enforcement
- **Streamline** and clarify the legal framework

## Calendar

- 31 March 2022 – adoption of the Commission's Proposal
- 24 October 2023 – political agreement after trilogues
- **Entry into force / application: 13 May 2024**



# Regulation (EU) 2024/1143 on GIs for wine, spirit drinks and agricultural products – main achievements

1. Enlarged scope of the Regulation

2. Harmonization of the rules across the sectors

3. Increased protection of GIs

4. Strengthened enforcement

5. Sustainability

6. Recognised producer groups

# Legal framework (all sectors)

## Scope of the Regulation

- Extended to all agricultural products according to WTO definition
- Covers wines, spirit drinks and agricultural products listed under the combined nomenclature established by Chapters 1 to 23 of Common Customs Tariff

## Harmonisation of the rules across the sectors

- **Harmonised procedures** for registration, amendment and cancellation of GI for all sectors,
- **One set of protection rules** for all sectors
- One Register, one GI Committee for all sectors (food, wines, spirits)

## Procedures optimised

- Mandatory deadlines for the Commission to examine applications
- For all sectors, reasoned statements of opposition will be lodged within **three months** from the publication of the application
- Oppositions: **notice of comments**

# Protection (all sectors)

## Names

- Transliterations and Transcriptions protected
- Increased protection on the internet for all sectors with regard to domain names and online sales

## GI use in names of processed products (food and wine)

- Three conditions to be complied with: no comparable product, sufficient quantity to confer essential characteristic, percentage in label
- Prepacked food producers obliged to notify to Recognised Producer Groups the use of GI in the name of their products

## Domain names

- GIs recognised as a right to be invoked in alternative dispute resolution procedures of Country-code top-level domain names registries established in the EU
- Possible creation of the domain name information and alert system

# Controls and Enforcement

Controls on compliance with product specification

- Common provisions on the controls for **spirit drinks and agricultural products** back to the GI Regulation
- Interpretation and application made easier
- Separate controls provisions for wine in the CMO Regulation

Inclusion of GI in the system of the Digital Services Act

- Actions from judicial or administrative authorities to issue an order act under the Digital Services Act for any information that contravenes the protection of GIs (equivalent to illegal content)

Attestation of compliance with the product specification

- New system (currently existing only for GI spirits) to grant **certificate of compliance** with the product specification to producers of a GI, to facilitate the recognition on the market of the genuine GI products
- It will be applicable as of 1 January 2025

# Recognised Producer Groups (all sectors)

## GI Producer Groups

- GI producer groups **empowered** for better GIs management
- Tasks extended and detailed: represent the members, take action to improve the performance of the GI, agree on sustainable practices, dissemination of information, promotion activities, measures to enhance the value of products, advertising campaigns

## Recognised Producer Groups

- **Optional** for Member State to endorse the system of RPGs
- Alternative criteria of eligibility
- Representativity of all producers of the GI by default

## Additional Tasks of the RPG

- Receive a notification from a prepacked food producer (exclusive)
- Request binding rules for the regulation of supply up to 6 years (excl.)
- Establish standard value sharing clauses used by the members (excl.)
- Apply for amendment, for cancellation and agree on sustainable practices (when RPG exists it is the only entitled)

# Labelling

## Transparency

- **For food:** Obligation to indicate the producer or the operator in the same field of vision of the GI
- **For spirits:** Obligation to indicate the producer in the same field of vision of the GI
- Two-year transitional period for this new obligation

## Other rules

- **Logo** still mandatory for food only
- Use of indications and abbreviations in the labelling and advertising material of processed products when GI is an ingredient
- Option for Wine to use PDO PGI as abbreviations on the label



# Sustainability (all sectors)

## Sustainable practices

- Sustainability practices **on a voluntary basis**
- Where included in the product specification they become **mandatory**
- PG or RPG can prepare a **sustainability report** on a voluntary basis (to be published by the Commission)

## Meaning of 'sustainable practice'

- a practice which **contributes to one or more social, environmental or economic objectives**

# Thank you



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