



2022/0089(COD)

18.10.2022

*****I**

DRAFT REPORT

on the proposal for a regulation of the European Parliament and of the Council
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
(COM(2022)0134 – C9-0130/2022 – 2022/0089(COD))

Committee on Agriculture and Rural Development

Rapporteur: Paolo De Castro

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the **■** symbol or ~~strikeout~~. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council 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 (COM(2022)0134 – C9-0130/2022 – 2022/0089(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2022)0134),
 - having regard to Article 294(2) and Article 43(2) and Article 118, first paragraph, of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0130/2022),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 13 July 2022¹,
 - having regard to the report of the Committee on Agriculture and Rural Development (A9-0000/2022),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ Not yet published in the Official Journal.

Amendment 1

Proposal for a regulation

Article 2 – paragraph 1 – point a

Text proposed by the Commission

(a) ‘producer group’ means any association, irrespective of its legal form, **mainly** composed of producers **or** processors of the same product;

Amendment

(a) ‘producer group’ means any association, irrespective of its legal form, composed of producers **of raw material**, processors **or operators involved in the production** of the same product;

Or. en

Amendment 2

Proposal for a regulation

Article 2 – paragraph 1 – point g – introductory part

Text proposed by the Commission

(g) ‘generic term’ means:

Amendment

(g) ‘generic term’ means **the name of products which, although relating to the place, region or country where a product was originally produced or marketed, have become the common name of a product in the Union;**

Or. en

Amendment 3

Proposal for a regulation

Article 2 – paragraph 1 – point g – point i

Text proposed by the Commission

(i) **the name of products which, although relating to the place, region or country where a product was originally produced or marketed, have become the common name of a product in the Union; and**

Amendment

deleted

Amendment 4

Proposal for a regulation

Article 2 – paragraph 1 – point g – point ii

Text proposed by the Commission

Amendment

(ii) a common term descriptive of types of products, product attributes or other terms that do not refer to specific product; **deleted**

Or. en

Amendment 5

Proposal for a regulation

Article 2 – paragraph 1 – point i a (new)

Text proposed by the Commission

Amendment

(i a) 'sustainability undertaking' means an undertaking promoting sustainable production in its three dimensions, by contributing to one or more social, environmental and economic objectives.

Or. en

Amendment 6

Proposal for a regulation

Article 4 – paragraph 1 – point -a (new)

Text proposed by the Commission

Amendment

(-a) a fair return for producers for the qualities of their products;

Or. en

Amendment 7

Proposal for a regulation

Article 4 – paragraph 1 – point -a a (new)

Text proposed by the Commission

Amendment

(-a a) support to agricultural and processing activities and the farming systems associated with high-quality products, thereby contributing to the achievement of rural development policy objectives;

Or. en

Amendment 8

Proposal for a regulation

Article 4 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) producers acting collectively have the necessary powers and responsibilities to manage their geographical indication, including to respond to societal demands for products resulting from sustainable production in its three dimensions of economic, environmental and social value, and to operate in the market;

(a) *that* producers acting collectively have the necessary powers and responsibilities to manage their geographical indication, including *to create value and* to respond to societal demands for products resulting from sustainable production in its three dimensions of economic, environmental and social value, and to operate in the market;

Or. en

Amendment 9

Proposal for a regulation

Article 4 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(b a) that the added value associated with geographical indications is fairly shared across the supply chain;

Amendment 10

Proposal for a regulation

Article 4 – paragraph 1 – point c

Text proposed by the Commission

(c) consumers receive reliable information and a guarantee of authenticity of such products and can readily identify them in the marketplace including in electronic commerce;

Amendment

(c) **that** consumers receive reliable information and a guarantee of authenticity of such products and can readily identify them in the marketplace including in **the domain name system and in** electronic commerce;

Or. en

Amendment 11

Proposal for a regulation

Article 4 – paragraph 1 – point d

Text proposed by the Commission

(d) efficient registration of geographical indications taking into account the appropriate protection of intellectual property rights; and

Amendment

(d) efficient registration of geographical indications taking into account the **uniform, appropriate and effective** protection of intellectual property rights, **in the internal market including the Union digital market**; and

Or. en

Amendment 12

Proposal for a regulation

Article 4 – paragraph 1 – point e

Text proposed by the Commission

(e) effective enforcement and marketing throughout the Union and in electronic commerce ensuring the integrity

Amendment

(e) effective enforcement and marketing throughout the Union **and in the domain name system** and in electronic

of the internal market.

commerce ensuring the integrity of the internal market.

Or. en

Amendment 13

Proposal for a regulation Article 6 – paragraph 1

Text proposed by the Commission

1. Products designated by geographical indications shall be classified according to the combined nomenclature at two, four **or six** digit level. Where a geographical indication covers products of more than one category, each **entry** shall be specified. Product classification shall only be used for registration, statistical and record keeping purposes. The said classification shall not be used to determine comparable products for the purposes of protection against direct and indirect commercial use referred to in Article 27(1), point (a).

Amendment

1. Products designated by geographical indications shall be classified according to the combined nomenclature at two, four, **six or eight** digit level. ***Additional codes established pursuant to Articles 3 and 5 of Regulation (EEC) 2658/1987 may be added to the combined nomenclature by the Commission, upon the request of a Member State.*** Where a geographical indication covers products of more than one category, each **sub-heading** shall be specified. Product classification shall only be used for registration, statistical and record keeping purposes. The said classification shall not be used to determine comparable products for the purposes of protection against direct and indirect commercial use referred to in Article 27(1), point (a).

Or. en

Amendment 14

Proposal for a regulation Article 7 – paragraph 1 – point f

Text proposed by the Commission

(f) ‘recognised producer group’ means a formal association **having legal personality and** recognised by the competent national authorities as the sole

Amendment

(f) ‘recognised producer group’ means a formal association recognised by the competent national authorities as the sole group to act on behalf of all producers;

group to act on behalf of all producers;

Or. en

Amendment 15

Proposal for a regulation

Article 7 – paragraph 1 – point g a (new)

Text proposed by the Commission

Amendment

(g a) 'association of producer groups' means an organisation that promotes the interests of producers of products designated by different geographical indications.

Or. en

Amendment 16

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

Amendment

1. Applications for the registration of geographical indications may only be submitted by a producer group of a product ('applicant producer group'), the name of which is proposed for registration. Regional or local public bodies may help in the preparation of the application and in the related procedure.

1. Applications for the registration of geographical indications may only be submitted by a producer group of a product ('applicant producer group'), the name of which is proposed for registration. ***Other interested parties, including*** regional or local public bodies, may help in the preparation of the application and in the related procedure.

Or. en

Amendment 17

Proposal for a regulation

Article 8 – paragraph 2

Text proposed by the Commission

2. An authority designated by a Member State may be deemed to be an applicant producer group for the purposes of this Title, with respect to geographical indications of a spirit drink, if it is not feasible for the producers concerned to form a group by reason of their number, geographical location or organisational characteristics. In such case, the application referred to in Article 9(2) shall state those reasons.

Amendment

2. An authority designated by a Member State ***or by a third country*** may be deemed to be an applicant producer group for the purposes of this Title, with respect to geographical indications of a spirit drink, if it is not feasible for the producers concerned to form a group by reason of their number, geographical location or organisational characteristics. In such case, the application referred to in Article 9(2) shall state those reasons.

Or. en

Amendment 18

Proposal for a regulation Article 9 – paragraph 7

Text proposed by the Commission

7. The Member State shall ensure that its decision, be it favourable or not, is made public ***and that any natural or legal person having a legitimate interest has an opportunity to lodge an appeal.*** The Member State shall also ensure that the product specification on which its favourable decision is based is published, and shall provide electronic access to the product specification.

Amendment

7. The Member State shall ensure that its decision, be it favourable or not, is made public. The Member State shall also ensure that the product specification on which its favourable decision is based is published, and shall provide electronic access to the product specification.

Or. en

Amendment 19

Proposal for a regulation Article 12 – paragraph 1

Text proposed by the Commission

1. A producer group may agree on

Amendment

1. A producer group may agree on

sustainability undertakings to be adhered to in the production of the product designated by a geographical indication. Such undertakings shall aim to apply a sustainability standard higher than mandated by Union or national law **and go beyond good practice in significant respects** in terms of social, environmental or economic undertakings. Such undertakings shall be specific, shall take account of existing sustainable practices employed for products designated by geographical indications, and may refer to existing sustainability schemes.

sustainability undertakings to be adhered to in the production of the product designated by a geographical indication. Such undertakings shall aim to apply a sustainability standard higher than mandated by Union or national law in terms of social, environmental, economic **or animal health and welfare** undertakings. Such undertakings shall be specific, shall take account of existing sustainable practices employed for products designated by geographical indications, and may refer to existing sustainability schemes.

Or. en

Amendment 20

Proposal for a regulation Article 12 – paragraph 2

Text proposed by the Commission

2. The sustainability undertakings referred to in paragraph (1) shall be included in the product specification.

Amendment

2. The sustainability undertakings referred to in paragraph (1) shall be included in the product specification, **unless those undertakings are included elsewhere, for instance in the sustainability report referred to in Article 12a.**

Or. en

Amendment 21

Proposal for a regulation Article 12 – paragraph 4

Text proposed by the Commission

4. **The Commission shall be empowered to adopt delegated acts in accordance with Article 84 defining sustainability standards in different**

Amendment

deleted

sectors and laying down criteria for the recognition of existing sustainability standards to which producers of products designated by geographical indications may adhere.

Or. en

Amendment 22

Proposal for a regulation Article 12 a (new)

Text proposed by the Commission

Amendment

Article 12 a

Sustainability report

- 1. By 1 January 2026, producer groups shall prepare a sustainability report comprising a description of the impacts of the method of obtaining the product on sustainability, in terms of social, environmental, economic or animal health and welfare commitments, and information necessary to understand how sustainability affects the development, performance and position of the product.*
- 2. The Commission may adopt implementing acts setting out the format and the online presentation of the report provided for in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2).*

Or. en

Amendment 23

Proposal for a regulation Article 14 – paragraph 2

Text proposed by the Commission

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 84 supplementing this Regulation by provisions clarifying the requirements *or listing additional items* of the accompanying documentation to be supplied.

Amendment

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 84 supplementing this Regulation by provisions clarifying the requirements of the accompanying documentation to be supplied.

Or. en

Amendment 24

**Proposal for a regulation
Article 15 – paragraph 6**

Text proposed by the Commission

6. *The Commission shall be empowered to adopt delegated acts in accordance with Article 84 defining procedures and conditions applicable to the preparation and submission of Union applications for registration.*

Amendment

deleted

Or. en

Amendment 25

**Proposal for a regulation
Article 17 – paragraph 2**

Text proposed by the Commission

2. Scrutiny *should* not exceed a period of **6** months. In the event that the scrutiny period *exceeds* or is likely to *exceed 6 months* the Commission shall inform the applicant of the reasons for the delay in writing.

Amendment

2. Scrutiny *shall* not exceed a period of **5 months**. *In duly justified cases, the scrutiny period may be extended by a maximum of 3* months. In the event that the scrutiny period *is extended* or is likely to *be extended* the Commission shall inform the applicant of the reasons for the delay in writing.

Amendment 26

Proposal for a regulation Article 17 – paragraph 5

Text proposed by the Commission

Amendment

5. *The Commission shall be empowered to adopt delegated acts in accordance with Article 84 supplementing this Regulation by rules on entrusting EUIPO with the tasks set out in this Article.*

deleted

Or. en

Amendment 27

Proposal for a regulation Article 18 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. The Commission shall be exempted from the obligation to meet the deadline to perform the scrutiny referred to in Article 17(2) *and to inform the applicant of the reasons for the delay* where it receives a communication from a Member State, concerning an application for registration in accordance with Article 9(6), which:

2. The Commission shall be exempted from the obligation to meet the deadline to perform the scrutiny referred to in Article 17(2) where it receives a communication from a Member State, concerning an application for registration in accordance with Article 9(6), which:

Or. en

Amendment 28

Proposal for a regulation Article 19 – paragraph 1

Text proposed by the Commission

Amendment

1. Within 3 months from the date of

1. Within 3 months from the date of

publication in the Official Journal of the European Union of the single document and the reference to the product specification pursuant to Article 17(4), the authorities of a Member State or of a third country, or a natural or legal person having a legitimate interest, established or resident in a third country, may lodge an opposition *or a notice of comment* with the Commission.

publication in the Official Journal of the European Union of the single document and the reference to the product specification pursuant to Article 17(4), the authorities of a Member State or of a third country, or a natural or legal person having a legitimate interest, established or resident in a third country, may lodge an opposition with the Commission.

Or. en

Amendment 29

Proposal for a regulation Article 19 – paragraph 2

Text proposed by the Commission

2. Any natural or legal person having a legitimate interest, established or resident in a Member State other than the one from which the Union application for registration was submitted, may lodge an opposition with the Member State, in which it is established or resident, within a time limit permitting an opposition *or notice of comments* to be lodged pursuant to paragraph (1).

Amendment

2. Any natural or legal person having a legitimate interest, established or resident in a Member State other than the one from which the Union application for registration was submitted, may lodge an opposition with the Member State, in which it is established or resident, within a time limit permitting an opposition to be lodged pursuant to paragraph (1).

Or. en

Amendment 30

Proposal for a regulation Article 19 – paragraph 10

Text proposed by the Commission

10. The Commission shall be empowered to adopt delegated acts, in accordance with Article 84 supplementing this Regulation by detailed procedures and deadlines for the opposition procedure, for

Amendment

10. The Commission shall be empowered to adopt delegated acts, in accordance with Article 84 supplementing this Regulation by detailed procedures and deadlines for the opposition procedure, for

the official submission of comments by national authorities and persons with a legitimate interest, which will not trigger the opposition procedure **and by rules on entrusting its tasks set out in this Article to EUIPO.**

the official submission of comments by national authorities and persons with a legitimate interest, which will not trigger the opposition procedure.

Or. en

Amendment 31

Proposal for a regulation Article 22 – paragraph 2

Text proposed by the Commission

2. Where it receives no admissible opposition, the Commission shall adopt implementing acts, without applying the procedure referred to in Article 53(2), registering the geographical indication. ***The Commission may take in to account the notices of comments received in accordance with Article 19(1).***

Amendment

2. Where it receives no admissible opposition, the Commission shall adopt implementing acts, without applying the procedure referred to in Article 53(2), registering the geographical indication.

Or. en

Amendment 32

Proposal for a regulation Article 25 – paragraph 1

Text proposed by the Commission

1. A producer group ***having a legitimate interest*** may apply for the approval of an amendment to the product specification of a registered geographical indication.

Amendment

1. A ***recognised*** producer group may apply for the approval of an amendment to the product specification of a registered geographical indication.

Or. en

Amendment 33

Proposal for a regulation

Article 25 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. Where a recognised producer group does not exist, a producer group having a legitimate interest may apply for the approval of an amendment to the product specification of a registered geographical indication.

Or. en

Amendment 34

Proposal for a regulation

Article 25 – paragraph 3 – point a

Text proposed by the Commission

Amendment

(a) includes a change in the name, ***or in the use of the name, or, for wine and spirit drinks, in the category of product or products designated by the geographical indication, or, for spirit drinks, in the legal name;*** or

(a) includes a change in the name; or

Or. en

Amendment 35

Proposal for a regulation

Article 25 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) ***risks voiding the link to the geographical area referred to in the single document;*** or

deleted

Or. en

Amendment 36

Proposal for a regulation Article 25 – paragraph 5

Text proposed by the Commission

5. A **standard** amendment shall be considered as a **temporary** amendment when it concerns a temporary change in the product specification resulting from the imposition of obligatory sanitary and phytosanitary measures by the public authorities or a temporary amendment necessary because of a natural disaster **or** adverse weather conditions formally recognised by the competent authorities.

Amendment

5. A **temporary** amendment shall be considered as a **standard** amendment when it concerns a temporary change in the product specification resulting from the imposition of obligatory sanitary and phytosanitary measures by the public authorities or a temporary amendment necessary because of **the consequences of** a natural disaster, adverse weather conditions **or exceptional geopolitical events** formally recognised by the competent authorities.

Or. en

Amendment 37

Proposal for a regulation Article 25 – paragraph 6

Text proposed by the Commission

6. Union amendments shall be approved by the Commission. The approval procedure shall follow, *mutatis mutandis*, the procedure laid down from Article 8 to Article 22.

Amendment

6. Union amendments shall be **scrutinised and** approved by the Commission. The approval procedure shall follow, *mutatis mutandis*, the procedure laid down from Article 8 to Article 22.

Or. en

Amendment 38

Proposal for a regulation Article 25 – paragraph 8

Text proposed by the Commission

8. If an application for a Union amendment to the product specification of a registered geographical indication also includes standard amendments or temporary amendments, the Commission shall scrutinise the Union amendment only. Any standard amendments or temporary amendments shall be deemed as not having been submitted. The scrutiny of such applications shall focus on the proposed Union amendments. ***Where appropriate, the Commission or the Member State concerned may invite the applicant to modify other elements of the product specifications.***

Amendment

8. If an application for a Union amendment to the product specification of a registered geographical indication also includes standard amendments or temporary amendments, the Commission shall scrutinise the Union amendment only. Any standard amendments or temporary amendments shall be deemed as not having been submitted. The scrutiny of such applications shall focus on the proposed Union amendments.

Or. en

Amendment 39

**Proposal for a regulation
Article 25 – paragraph 9**

Text proposed by the Commission

9. Standard amendments shall be approved by Member States or third countries in whose territory the geographical area of the product concerned is located and communicated to the Commission. The Commission shall make those amendments public.

Amendment

9. Standard amendments shall be ***scrutinised and*** approved by Member States or third countries in whose territory the geographical area of the product concerned is located and communicated to the Commission. The Commission shall make those amendments public.

Or. en

Amendment 40

**Proposal for a regulation
Article 25 – paragraph 10**

Text proposed by the Commission

Amendment

10. The Commission shall be empowered to adopt delegated acts in accordance with Article 84 supplementing this Regulation by provisions entrusting EUIPO with the publication of standard amendments referred to in paragraph (9).

deleted

Or. en

Amendment 41

Proposal for a regulation

Article 26 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) where no product has been placed on the market under the geographical indication for at least **seven** consecutive years.

(b) where no product has been placed on the market under the geographical indication for at least **five** consecutive years.

Or. en

Amendment 42

Proposal for a regulation

Article 26 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. After the cancellation of the registration of a geographical indication, the use and the protection as another intellectual property right of the registered name shall be prohibited for at least 10 years.

Or. en

Amendment 43

Proposal for a regulation

Article 27 – paragraph 1 – point a

Text proposed by the Commission

(a) 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 a name exploits, weakens, dilutes, or is detrimental to the reputation of, the protected name;

Amendment

(a) 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 a name exploits, weakens, dilutes, or is detrimental to the reputation of, the protected name, ***including where those products are used as ingredients***;

Or. en

Amendment 44

Proposal for a regulation

Article 27 – paragraph 1 – point b

Text proposed by the Commission

(b) any misuse, imitation or evocation, even if the true origin of the products or services is indicated or if the protected name is translated or accompanied by an expression such as ‘style’, ‘type’, ‘method’, ‘as produced in’, ‘imitation’, ‘flavour’, ‘like’ or similar.

Amendment

(b) any misuse, imitation or evocation, even if the true origin of the products or services is indicated or if the protected name is translated, ***transcribed, transliterated*** or accompanied by an expression such as ‘style’, ‘type’, ‘method’, ‘as produced in’, ‘imitation’, ‘flavour’, ‘like’ or similar, ***including where those products are used as ingredients***;

Or. en

Amendment 45

Proposal for a regulation

Article 27 – paragraph 1 – point c

Text proposed by the Commission

(c) 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, advertising material, documents or information provided on websites relating to the product concerned, and the packing of the product in a container liable to convey a false impression as to its origin;

Amendment

(c) 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, advertising material, documents or information provided on websites **or on domain names** relating to the product concerned, and the packing of the product in a container liable to convey a false impression as to its origin;

Or. en

Amendment 46

**Proposal for a regulation
Article 27 – paragraph 2**

Text proposed by the Commission

2. For the purposes of paragraph (1), point (b), the evocation of a geographical indication shall arise, in particular, where a **term, sign, or other labelling or packaging device presents a direct and** clear link with the product covered by the registered geographical indication in the mind of the reasonably circumspect consumer, thereby exploiting, weakening, diluting or being detrimental to the reputation of the registered name.

Amendment

2. For the purposes of paragraph (1), point (b), the evocation of a geographical indication shall arise, in particular, where a clear link **is present** with the product covered by the registered geographical indication in the mind of the reasonably circumspect consumer, thereby exploiting, weakening, diluting or being detrimental to the reputation of the registered name.

Or. en

Amendment 47

**Proposal for a regulation
Article 27 – paragraph 4 – point a**

Text proposed by the Commission

(a) goods entering the customs territory

Amendment

(a) goods entering the customs territory

of the Union without being released for free circulation within that territory; **and**

of the Union without being released for free circulation within that territory;

Or. en

Amendment 48

Proposal for a regulation

Article 27 – paragraph 4 – point a a (new)

Text proposed by the Commission

Amendment

(a a) goods produced in the Union and destined to be exported and marketed in third countries; and

Or. en

Amendment 49

Proposal for a regulation

Article 27 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. A protected name shall not be used to indicate that a product has been aged in containers, including casks and barrels, where a product designated by the geographical indication was originally aged, except in the event of an agreement in writing with the producer group.

Or. en

Amendment 50

Proposal for a regulation

Article 27 – paragraph 5

Text proposed by the Commission

Amendment

5. The **recognised** group of producers

5. The group of producers or any

or any operator that is entitled to use the protected designation of origin or protected geographical indication shall be entitled to prevent all third parties from bringing goods, in the course of trade, into the Union without being released for free circulation there, where such goods, including packaging, come from third countries and are in breach of paragraph (1).

operator that is entitled to use the protected designation of origin or protected geographical indication shall be entitled to prevent all third parties from bringing goods, in the course of trade, into the Union without being released for free circulation there, where such goods, including packaging, come from third countries and are in breach of paragraph (1).

Or. en

Amendment 51

Proposal for a regulation Article 27 – paragraph 7

Text proposed by the Commission

7. Where a geographical indication is a compound name which contains a term which is considered to be generic, the use of that term shall not constitute a conduct referred to in paragraph (1), point (a) and (b).

Amendment

deleted

Or. en

Amendment 52

Proposal for a regulation Article 27 – paragraph 7 a (new)

Text proposed by the Commission

7 a. Each Member State shall take appropriate administrative and judicial steps to prevent or stop the unlawful use of protected designations of origin and protected geographical indications, as provided for in paragraph 1, that are produced or marketed in that Member State.

Amendment

To that end, Member States shall designate the authorities that are responsible for taking those steps in accordance with procedures determined by each individual Member State.

Those authorities shall provide adequate guarantees of objectivity and impartiality, and shall have at their disposal the qualified staff and resources necessary to carry out their functions.

Or. en

Amendment 53

Proposal for a regulation

Article 28 – paragraph 1

Text proposed by the Commission

1. *Article 27 is without prejudice to the use of a geographical indication by operators in conformity with Article 36 to indicate that a processed product contains, as an ingredient, a product designated by that geographical indication* provided that such use is made in accordance with honest commercial practices and does not weaken, dilute or is not detrimental to the reputation of the geographical indication.

Amendment

1. *The name* of a geographical indication *used as an ingredient in* a processed product *may be referred to in the list of ingredients*, provided that such use is made in accordance with honest commercial practices and does not weaken, dilute or is not detrimental to the reputation of the geographical indication.

Or. en

Amendment 54

Proposal for a regulation

Article 28 – paragraph 2

Text proposed by the Commission

2. The geographical indication designating a product ingredient shall not be used in the food name of the related processed product, except in cases of an agreement *with a* producer group

Amendment

2. The geographical indication designating a product ingredient shall not be used in the food name of the related processed product, except in cases of an agreement *in writing with the* producer

representing two thirds of the producers.

group.

Or. en

Amendment 55

Proposal for a regulation Article 28 – paragraph 3

Text proposed by the Commission

Amendment

3. The Commission shall be empowered to adopt delegated acts in accordance with Article 84 supplementing this Regulation by additional rules on the use of geographical indications to identify ingredients in processed products referred to in paragraph (1) of this Article.

deleted

Or. en

Amendment 56

Proposal for a regulation Article 29 – paragraph 3

Text proposed by the Commission

Amendment

3. The Commission shall be empowered to adopt delegated acts in accordance with Article 84 supplementing this Regulation by additional rules for determining the generic status of terms referred to in paragraph (1) of this Article.

deleted

Or. en

Amendment 57

Proposal for a regulation Article 30 – paragraph 2

Text proposed by the Commission

2. A wholly or partly homonymous name which misleads the consumer into believing that products come from another territory shall not be registered even if the name for the actual territory, region or place of origin of the products in question is accurate.

Amendment

2. A wholly or partly homonymous name which ***is suggestive of another product or*** misleads the consumer into believing that products come from another territory shall not be registered even if the name for the actual territory, region or place of origin of the products in question is accurate.

Or. en

Amendment 58

**Proposal for a regulation
Article 32 – paragraph 1**

Text proposed by the Commission

1. A producer group shall be set up on the initiative of interested stakeholders, including farmers, farm suppliers, intermediate processors and final processors, as specified by the national authorities and according to the nature of the product concerned. Member States shall verify that the producer group operates in a transparent and democratic manner and that all producers of the product designated by the geographical indication enjoy right of membership in the group. ***Member States may provide that public officials, and other stakeholders such as consumer groups, retailers and suppliers, also participate in the works of the producer group.***

Amendment

1. A producer group shall be set up on the initiative of interested stakeholders, including farmers, farm suppliers, intermediate processors and final processors, as specified by the ***competent*** national authorities and according to the nature of the product concerned.

A producer group may also be set up on the initiative of a Member State.

Member States shall verify that the producer group operates in a transparent and democratic manner and that all producers of the product designated by the geographical indication enjoy right of membership in the group.

Amendment 59

Proposal for a regulation

Article 32 – paragraph 2 – introductory part

Text proposed by the Commission

2. A producer group may exercise in particular the following powers and responsibilities:

Amendment

2. **Where a recognised producer group does not exist**, a producer group may exercise in particular the following powers and responsibilities:

Or. en

Amendment 60

Proposal for a regulation

Article 32 – paragraph 2 – point a

Text proposed by the Commission

(a) develop the product specification and manage **internal controls that ensure** compliance of production steps of the product designated by the geographical indication with the said specification;

Amendment

(a) develop the product specification and manage **activities relating to ensuring** compliance of production steps of the product designated by the geographical indication with the said specification;

Or. en

Amendment 61

Proposal for a regulation

Article 32 – paragraph 2 – point b

Text proposed by the Commission

(b) take legal action to ensure protection of the geographical indication and of the intellectual property rights that are directly connected with it;

Amendment

(b) take legal action to ensure protection of the geographical indication and of the intellectual property rights that are directly connected with it, **and claim damages**;

Amendment 62

Proposal for a regulation

Article 32 – paragraph 2 – point c

Text proposed by the Commission

(c) agree sustainability undertakings, whether *or not* included in the product specification or *as a separate initiative, including arrangements for verification of compliance with those undertakings and* assuring adequate publicity for them notably in an information system provided by the Commission;

Amendment

(c) agree sustainability undertakings, whether included in the product specification or *elsewhere*, assuring adequate publicity for them notably *in the sustainability report referred to in Article 12 a or* in an information system provided by the Commission;

Or. en

Amendment 63

Proposal for a regulation

Article 32 – paragraph 2 – point d – introductory part

Text proposed by the Commission

(d) take action to improve the performance of the geographical indication, including:

Amendment

(d) take action to improve the performance of the geographical indication, *in terms of social, environmental and economic sustainability*, including:

Or. en

Amendment 64

Proposal for a regulation

Article 32 – paragraph 2 – point d – point iii

Text proposed by the Commission

(iii) carrying out analyses into the economic performance, *sustainability of*

Amendment

(iii) carrying out analyses into the *social, environmental or* economic

production, nutritional profile, and organoleptic profile, of the product designated by the geographical indication;

performance, nutritional profile, and organoleptic profile, of the product designated by the geographical indication;

Or. en

Amendment 65

Proposal for a regulation Article 32 – paragraph 2 – point e

Text proposed by the Commission

(e) combat counterfeiting and suspected fraudulent uses on the internal market of a geographical indication designating products that are not in compliance with the product specification, by monitoring the use of the geographical indication across the internal market and on third countries markets where the geographical indications are protected, including on the internet, and, as necessary, inform enforcement authorities using confidential systems available.

Amendment

(e) combat counterfeiting and suspected fraudulent uses on the internal **market including the Union digital** market of a geographical indication designating products that are not in compliance with the product specification, by monitoring the use of the geographical indication across the internal market and on third countries markets where the geographical indications are protected, including on the internet, and, as necessary, inform enforcement authorities using confidential systems available.

Or. en

Amendment 66

Proposal for a regulation Article 32 – paragraph 2 – point e a (new)

Text proposed by the Commission

Amendment

(e a) take measures to enhance the value of products and, where necessary, take steps to prevent or counter any measures or commercial practices which are, or risk being, detrimental to the image and value of their products, including devaluating marketing practices and prices;

Amendment 67

Proposal for a regulation

Article 32 – paragraph 2 – point e b (new)

Text proposed by the Commission

Amendment

(e b) take measures to disseminate best practices and raise awareness among producers and consumers on the sustainability undertakings provided for in Article 12;

Or. en

Amendment 68

Proposal for a regulation

Article 32 – paragraph 2 – point e c (new)

Text proposed by the Commission

Amendment

(e c) lay down rules concerning the use of the product designated by a geographical indication as an ingredient, in particular by:

(i) establishing minimum conditions for the use of the the name of the product designated by a geographical indication ; and

(ii) requesting a financial contribution from the processor using the name of the product designated by a geographical indication as an ingredient.

Or. en

Amendment 69

Proposal for a regulation

Article 33 – paragraph 1

Text proposed by the Commission

1. Upon a request of producer **groups fulfilling the conditions of paragraph 3**, Member States shall designate, in accordance with their national law, one producer group as recognised producer group for **each** geographical indication originating in their territory **that is** registered or **is** subject to an application for registration or for product names that are a potential subject for application for registration.

Amendment

1. Upon a request of **a** producer **group**, Member States **or, in accordance with an international agreement to which the Union is a contracting party, third countries** shall designate, in accordance with their national law, one producer group as recognised producer group for **a specific geographical indication or for two or more geographical indications** originating in their territory, **that are** registered or **are** subject to an application for registration or for product names that are a potential subject for application for registration.

Or. en

Amendment 70

Proposal for a regulation
Article 33 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. A recognised producer group shall be the sole group to act on behalf of all producers with regard to competences referred to in this Article and in Articles 25 to 28 and Article 32.

Or. en

Amendment 71

Proposal for a regulation
Article 33 – paragraph 2

Text proposed by the Commission

Amendment

2. A producer group may be designated as recognised producer group subject to a prior agreement concluded between **at least two-thirds** of the

2. A producer group may be designated as recognised producer group subject to a prior agreement concluded between **a minimum number** of the

producers of the product bearing a geographical indication, accounting for *at least two-thirds of the* production of that product in the geographical area referred to in the product specification. As an exception, an authority, as referred to in Article 8(2), and a single producer, as referred to in Article 8(3), shall be deemed to be a recognised producer group.

producers of the product bearing a geographical indication, accounting for *a minimum volume or value of marketable production, to be laid down by the Member State*, of that product in the geographical area referred to in the product specification. As an exception, an authority, as referred to in Article 8(2), and a single producer, as referred to in Article 8(3), shall be deemed to be a recognised producer group.

Or. en

Amendment 72

Proposal for a regulation

Article 33 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. *Member States or, in accordance with an international agreement to which the Union is a contracting party, third countries may decide on the basis of objective and non-discriminatory criteria that producer groups already recognised at national level before ... [the date of entry into force of this Regulation] are to be considered as recognised producer groups.*

Or. en

Amendment 73

Proposal for a regulation

Article 33 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) to take enforcement actions, including filing applications for actions with custom authorities, to prevent or counter any measures which are, or risk

(b) to take enforcement actions, including filing applications for actions with custom authorities, to prevent or counter any measures *or commercial*

being, detrimental to the image of their products;

practices which are, or risk being, detrimental to the image *and value* of their products, *including devaluating marketing practices and prices*;

Or. en

Amendment 74

Proposal for a regulation

Article 33 – paragraph 3 – point b a (new)

Text proposed by the Commission

Amendment

(b a) to carry out supervision activities and prevent fraud, as provided for in Article 42, when such activities have been delegated to them by the competent national authority;

Or. en

Amendment 75

Proposal for a regulation

Article 33 – paragraph 3 – point c a (new)

Text proposed by the Commission

Amendment

(c a) to establish standard value-sharing clauses within the meaning of Article 172a of Regulation (EU) 1308/2013, including market bonuses and losses, determining how any evolution of market prices for the products concerned or other relevant commodities is to be allocated between members;

Or. en

Amendment 76

Proposal for a regulation

Article 33 – paragraph 3 – point c b (new)

Text proposed by the Commission

Amendment

(c b) to liaise with the Commission in the context of negotiations on international agreements as regards the protection of the geographical indications;

Or. en

Amendment 77

Proposal for a regulation

Article 33 – paragraph 4

Text proposed by the Commission

Amendment

4. The powers and responsibilities referred to in paragraph 2 shall be subject to a prior agreement concluded between at least two-thirds of the producers of the product designated by a geographical indication, accounting for at least two-thirds of the production of that product in the geographical area referred to in the product specification.

deleted

Or. en

Amendment 78

Proposal for a regulation

Article 33 – paragraph 4

Text proposed by the Commission

Amendment

4. The powers and responsibilities referred to in paragraph 2 shall be subject to a prior agreement concluded between at least two-thirds of the producers of the

4. Member States may lay down rules to ensure that the contribution to costs associated with the exercise of powers and responsibilities by the recognised producer

product designated by a geographical indication, accounting for at least two-thirds of the production of that product in the geographical area referred to in the product specification.

group is compulsory for all producers of that geographical indication.

Or. en

Amendment 79

Proposal for a regulation Article 33 – paragraph 5

Text proposed by the Commission

5. Member States shall carry out checks in order to ensure that the conditions *laid down in paragraph 2* are complied with. Where the competent national authorities find that such conditions have not been complied with, Member States shall annul the decision on the recognition of the producer group.

Amendment

5. Member States *or, in accordance with an international agreement to which the Union is a contracting party, third countries* shall carry out checks in order to ensure that the conditions *for the recognition of the producer group* are complied with. Where the competent national authorities find that such conditions have not been complied with, Member States shall annul the decision on the recognition of the producer group.

Or. en

Amendment 80

Proposal for a regulation Article 33 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. Member States or, in accordance with an international agreement to which the Union is a contracting party, third countries shall inform the Commission by 31 March of each year, of every decision to grant, refuse or annul recognition taken during the previous calendar year.

Or. en

Amendment 81

Proposal for a regulation Article 33 a (new)

Text proposed by the Commission

Amendment

Article 33 a

Associations of producer groups

1. An association of producer groups may be set up on the initiative of interested producer groups.

2. An association of producer groups may exercise in particular the following functions:

(a) participating in consultative bodies;

(b) exchanging information with public authorities on geographical indication policy-related topics;

(c) making recommendations to improve the development of geographical indication policies, in particular with regard to sustainability, the fight against fraud and counterfeiting, the creation of value among operators, competition rules and rural development;

(d) promoting and disseminating best practices among producers on geographical indication policies.

Or. en

Amendment 82

Proposal for a regulation Article 34 – paragraph 1

Text proposed by the Commission

Amendment

1. *Country-code* top-level domain name registries *established* in the Union *may*, upon the request of a natural or legal

1. Top-level domain name registries *operating* in the Union *shall, ex-officio or* upon the request of a natural or legal

person having a legitimate interest or rights, revoke or transfer a domain name registered under such **country-code** top-level domain to the recognised producer group of the products with the geographical indication concerned, following an appropriate alternative dispute resolution procedure or judicial procedure, if such domain name has been registered by its holder without rights or legitimate interest in the geographical indication or if it has been registered or is being used in bad faith and its use contravenes Article 27.

person having a legitimate interest or rights, revoke or transfer a domain name registered under such top-level domain to the recognised producer group of the products with the geographical indication concerned, following an appropriate alternative dispute resolution procedure or judicial procedure, if such domain name has been registered by its holder without rights or legitimate interest in the geographical indication or if it has been registered or is being used in bad faith and its use contravenes Article 27.

Or. en

Amendment 83

Proposal for a regulation Article 34 – paragraph 2

Text proposed by the Commission

2. **Country-code** top-level domain name registries **established** in the Union shall ensure that any alternative dispute resolution procedure established to solve disputes relating to the registration of domain names referred to in paragraph (1), shall recognise geographical indications as rights that may prevent a domain name from being registered or used in bad faith.

Amendment

2. Top-level domain name registries **operating** in the Union shall ensure that any alternative dispute resolution procedure established to solve disputes relating to the registration of domain names referred to in paragraph (1), shall recognise geographical indications as rights that may prevent a domain name from being registered or used in bad faith.

Or. en

Amendment 84

Proposal for a regulation Article 34 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. Paragraphs 1 and 2 of this Article shall apply to core platform services

provided or offered by registries to business users established in the Union or to end-users established or located in the Union, irrespective of the place of establishment or residence of the registries and irrespective of the law otherwise applicable to the provision or offer of services, in accordance with Article 1 of Regulation (EU) 2022/ ... [DMA].

Or. en

Amendment 85

Proposal for a regulation Article 34 – paragraph 3

Text proposed by the Commission

3. The Commission shall be empowered to adopt delegated acts in accordance *with Article 84* supplementing this Regulation by provisions entrusting EUIPO to establish and manage a domain name information and alert system that would provide the applicant, upon the submission of an application for a geographical indication, with information about the availability of the geographical indication as a domain name and, on optional basis, the registration of a domain name identical to their geographical indication. *That* delegated *act* shall also include the obligation for registries of *country-code* top-level domain names, *established* in the Union, to provide EUIPO with the relevant information and data.

Amendment

3. The Commission shall be empowered to adopt delegated acts in accordance *with Article 84* supplementing this Regulation by provisions entrusting EUIPO to establish and manage a domain name information and alert system that would provide the applicant, upon the submission of an application for a geographical indication, with information about the availability of the geographical indication as a domain name and, on optional basis, the registration of a domain name identical to their geographical indication. *EUIPO may be empowered under those* delegated *acts to monitor registration of domain names in the Union which could conflict with the names included in the Union register of geographical indications. Those delegated acts* shall also include the obligation for registries of top-level domain names *and the EURid, operating* in the Union, to provide EUIPO with the relevant information and data.

Or. en

Amendment 86

Proposal for a regulation Article 35 – paragraph 1

Text proposed by the Commission

1. The registration of a trade mark the use of which would contravene Article 27 shall be rejected if the application for registration of the trade mark is submitted after the date of submission to the Commission of the application for the registration of the geographical indication.

Amendment

1. The registration of a trade mark the use of which would contravene Article 27 shall be rejected if the application for registration of the trade mark is submitted after the date of submission to the Commission of the application for the registration of the geographical indication.

Any registration in the name of a person other than the producer group of a trade mark incorporating, imitating or evoking the name protected by a geographical indication shall be rejected.

Or. en

Amendment 87

Proposal for a regulation Article 36 – paragraph 1

Text proposed by the Commission

A registered geographical indication may be used by any operator marketing a product conforming to the corresponding product specification or single document ***or an equivalent to the latter.***

Amendment

A registered geographical indication may be used by any operator marketing a product conforming to the corresponding product specification or single document.

Or. en

Amendment 88

Proposal for a regulation Article 37 – paragraph 1 – point a

Text proposed by the Commission

(a) a symbol identifying protected designations of origin of **wine and of** agricultural products; and

Amendment

(a) a symbol identifying protected designations of origin of agricultural products; and

Or. en

Amendment 89

Proposal for a regulation

Article 37 – paragraph 1 – point b

Text proposed by the Commission

(b) a symbol identifying protected geographical indications **of wine and** of agricultural products and geographical indications of spirit drinks.

Amendment

(b) a symbol identifying protected geographical indications of agricultural products and geographical indications of spirit drinks.

Or. en

Amendment 90

Proposal for a regulation

Article 37 – paragraph 2

Text proposed by the Commission

2. In the case of products originating in the Union that are marketed under a geographical indication, the Union symbol associated with it shall appear on the labelling and advertising material. The geographical indication shall appear in the same field of vision as the Union symbol. The labelling requirements laid down in Article 13(1) of Regulation (EU) No 1169/2011 for the presentation of mandatory particulars shall apply to the geographical indication.

Amendment

2. In the case of products originating in the Union that are marketed under a geographical indication, the Union symbol associated with it shall appear on the labelling and advertising material. The geographical indication **and an indication of the name of the producer or vendor** shall appear in the same field of vision as the Union symbol.

The country of origin of a primary ingredient which is not the same as the given country of origin of the

geographical indication shall be indicated with reference to Member States or third countries.

The labelling requirements laid down in Article 13(1) of Regulation (EU) No 1169/2011 for the presentation of mandatory particulars shall apply to the geographical indication.

Or. en

Amendment 91

Proposal for a regulation Article 37 – paragraph 3

Text proposed by the Commission

3. By way of derogation from paragraph (2), in the case of **wine and** spirit drinks originating in the Union that are marketed under a geographical indication, Union symbols may be omitted from the labelling and advertising material of the product concerned.

Amendment

3. By way of derogation from paragraph (2), in the case of spirit drinks originating in the Union that are marketed under a geographical indication, Union symbols may be omitted from the labelling and advertising material of the product concerned.

Or. en

Amendment 92

Proposal for a regulation Article 37 – paragraph 5 – subparagraph 1

Text proposed by the Commission

Where **wine**, agricultural products or spirit drinks are designated by a geographical indication the indications ‘protected designation of origin’ or ‘protected geographical indication’ shall appear on the labelling of wine, the indications ‘protected designation of origin’ or ‘protected geographical indication’ may appear on the labelling of agricultural products and the indication ‘geographical

Amendment

Where agricultural products or spirit drinks are designated by a geographical indication the indications ‘protected designation of origin’ or ‘protected geographical indication’ shall appear on the labelling of wine, the indications ‘protected designation of origin’ or ‘protected geographical indication’ may appear on the labelling of agricultural products and the indication ‘geographical indication’ may appear on

indication' may appear on the labelling of spirit drinks, respectively.

the labelling of spirit drinks, respectively.

Or. en

Amendment 93

Proposal for a regulation Article 37 – paragraph 6

Text proposed by the Commission

Amendment

6. *Indications, abbreviations and Union symbols may be used in the labelling and advertising materials of processed products when the geographical indication refers to an ingredient thereof. In that case, the indication, abbreviation or Union symbol shall be placed next to the name of the ingredient that is clearly identified as an ingredient. The Union symbol shall not be placed in association with the name of the food within the meaning of Article 17 of Regulation (EU) No 1169/2011 or in a manner that suggests to the consumer that the processed product rather than the ingredient is the object of registration.*

deleted

Or. en

Amendment 94

Proposal for a regulation Article 37 – paragraph 9

Text proposed by the Commission

Amendment

9. *Where an application is rejected, any products labelled in accordance with paragraph (6) may be marketed until the stocks are exhausted.*

deleted

Or. en

Amendment 95

Proposal for a regulation Article 37 – paragraph 12

Text proposed by the Commission

12. The Commission *may* adopt ***implementing acts*** establishing the Union symbols for geographical indications, ***defining the technical characteristics of the Union symbols for geographical indications as well as the rules on their use and the use of the indications and abbreviations on products marketed under a registered geographical indication, including rules concerning the appropriate linguistic versions to be used. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2).***

Amendment

12. The Commission ***shall be empowered to*** adopt ***delegated acts, in accordance with Article 94, supplementing this Regulation by*** establishing the Union symbols for geographical indications.

Or. en

Amendment 96

Proposal for a regulation Article 37 – paragraph 12 a (new)

Text proposed by the Commission

12 a. The Commission may adopt implementing acts setting out the technical characteristics of the Union symbols for geographical indications as well as the rules on their use and the use of the indications and abbreviations on products marketed under a registered geographical indication, including rules concerning the appropriate linguistic versions to be used. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2).

Amendment

Amendment 97

Proposal for a regulation Article 39 – paragraph 2

Text proposed by the Commission

2. Producers are responsible for **internal controls that ensure** compliance with the product specification of products designated by geographical indications before the product is placed on the market.

Amendment

2. Producers are responsible for **ensuring** compliance with the product specification of products designated by geographical indications before the product is placed on the market.

Or. en

Amendment 98

Proposal for a regulation Article 39 – paragraph 3 – introductory part

Text proposed by the Commission

3. In addition to **internal controls** referred to in paragraph 2, prior to placing on the market a product designated by a geographical indication and originating in the Union, third party verification of compliance with the product specification, shall be carried out by:

Amendment

3. In addition to **actions to ensure compliance** referred to in paragraph 2, prior to placing on the market a product designated by a geographical indication and originating in the Union, third party verification of compliance with the product specification, shall be carried out by:

Or. en

Amendment 99

Proposal for a regulation Article 42 – paragraph 3

Text proposed by the Commission

3. Member States shall take appropriate administrative and judicial steps to prevent or stop the use of names of

Amendment

3. Member States shall take appropriate administrative and judicial steps to prevent or stop the use of names of

products or services that are produced, operated or marketed in their territory and that contravenes the protection of geographical indications provided for in Article 27 and Article 28.

products or services, **including domain names**, that are produced, operated or marketed in their territory and that contravenes the protection of geographical indications provided for in Article 27 and Article 28.

Or. en

Amendment 100

Proposal for a regulation Article 42 – paragraph 4

Text proposed by the Commission

4. The authority designated in accordance with paragraph 1 shall coordinate enforcement of geographical indications among relevant departments, agencies and bodies, including police, anti-counterfeiting agencies, customs, intellectual property offices, food law authorities and retail inspectors.

Amendment

4. The authority designated in accordance with paragraph 1 shall **cooperate with the producer groups concerned and** coordinate enforcement of geographical indications among relevant departments, agencies and bodies, including police, anti-counterfeiting agencies, customs, intellectual property offices, food law authorities and retail inspectors.

Or. en

Amendment 101

Proposal for a regulation Article 43 – paragraph 1

Text proposed by the Commission

1. Sale of goods to which persons established in the Union have access, that contravenes **Article 27**, shall be considered illegal content within the meaning of Article 2, point (g) of Regulation (EU) **2022/xxx** of the European Parliament and of the Council⁴⁶.

Amendment

1. Sale of goods to which persons established in the Union have access, that contravenes **Articles 27 and 28**, shall be considered illegal content within the meaning of Article 2, point (g) of Regulation (EU) **2022/ ...** of the European Parliament and of the Council⁴⁶.

⁴⁶ Regulation (EU) [...] of the European Parliament and of the Council of [...] on a Single Market For Digital Services (DSA) and amending Directive 2000/31/EC (OJ L ..., XXX, dd/mm/yyyy, p. X).

⁴⁶ Regulation (EU) 2022/ ... of the European Parliament and of the Council of [...] on a Single Market For Digital Services (DSA) and amending Directive 2000/31/EC (OJ L ..., XXX, dd/mm/yyyy, p. X).

Or. en

Amendment 102

Proposal for a regulation Article 43 – paragraph 3

Text proposed by the Commission

3. Pursuant to Article 14 of Regulation (EU) 2022/xxx, any individual or entity may notify providers of hosting services of the presence of a specific content that is in breach **Article 27** of this Regulation.

Amendment

3. Pursuant to Article 14 of Regulation (EU) 2022/ ... , any individual or entity may notify providers of hosting services of the presence of a specific content that is in breach **Articles 27 and 28** of this Regulation.

Or. en

Amendment 103

Proposal for a regulation Article 43 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Member States shall not adopt national rules, including of a technical nature, on the use of names for products or services that are produced, operated or marketed in their territory, which do not comply with Articles 27 and 28 of this Regulation and with Articles 7 and 17 of Regulation (EU) No 1169/2011, and which do not comply with the principle of harmonisation in the Union food law system.

Or. en

Amendment 104

Proposal for a regulation Article 44 – paragraph 2

Text proposed by the Commission

2. The Commission *may* adopt implementing acts detailing the nature and the type of the information to be exchanged and the methods for exchanging information for the purpose of controls and enforcement under this Chapter. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2).

Amendment

2. The Commission *shall* adopt implementing acts detailing the nature and the type of the information to be exchanged and the methods for exchanging information for the purpose of controls and enforcement under this Chapter. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2).

Or. en

Amendment 105

Proposal for a regulation Article 44 – paragraph 4

Text proposed by the Commission

4. In case of a possible violation of protection conferred to a geographical indication, Member States shall take measures to facilitate the transmission, from law enforcement authorities, public prosecutors and judicial authorities, to the competent authorities referred in Article 39(3) of information on such possible violation.

Amendment

4. In case of a possible violation of protection conferred to a geographical indication, Member States shall take measures to facilitate the transmission, from law enforcement authorities, *market surveillance authorities*, public prosecutors, *public authorities on domain names* and judicial authorities, to the competent authorities referred in Article 39(3) of information on such possible violation.

Or. en

Amendment 106

Proposal for a regulation Article 45 – paragraph 1

Text proposed by the Commission

1. A producer whose product, following the verification of compliance referred to in Article 39 is found to comply with the product specification of a geographical indication protected in accordance with this Regulation shall be entitled to an official certificate, or other proof of certification, of eligibility to produce the product designated by the geographical indication concerned ***in respect of the production steps performed by the said producer.***

Amendment

1. A producer, ***processor or producer group*** whose product, following the verification of compliance referred to in Article 39 is found to comply with the product specification of a geographical indication protected in accordance with this Regulation shall be entitled to an official certificate or other proof of certification, ***including by digital means***, of eligibility to produce the product designated by the geographical indication concerned.

Or. en

Amendment 107

Proposal for a regulation Article 46

Text proposed by the Commission

Article 46

Scrutiny of third country geographical indications

The Commission shall be empowered to adopt delegated acts in accordance with Article 84 supplementing this Regulation by rules on entrusting EUIPO with the scrutiny of third country geographical indications, other than geographical indications under the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications, proposed for protection pursuant to international negotiations or international agreements.

Amendment

deleted

Or. en

Amendment 108

Proposal for a regulation

Article 47 – paragraph 1 – introductory part

Text proposed by the Commission

1. Where the Commission exercises any of the empowerments provided for in this Regulation to entrust tasks to EUIPO, it shall also be empowered to adopt delegated acts in accordance with Article 84 to supplement this Regulation by criteria for monitoring performance in the execution of such tasks. Such criteria *may* include:

Amendment

1. Where the Commission exercises any of the empowerments provided for in this Regulation to entrust tasks to EUIPO, it shall also be empowered to adopt delegated acts in accordance with Article 84 to supplement this Regulation by criteria for monitoring performance in the execution of such tasks. Such criteria *shall* include, *in particular*:

Or. en

Amendment 109

Proposal for a regulation

Article 47 – paragraph 2

Text proposed by the Commission

2. No later than **5** years after the first delegation of any tasks to EUIPO, the Commission shall prepare and submit a report to the European Parliament and to the Council on the results and experience of the exercise of these tasks by EUIPO.

Amendment

2. No later than *two* years after the first delegation of any tasks to EUIPO, the Commission shall prepare and submit a report to the European Parliament and to the Council on the results and experience of the exercise of these tasks by EUIPO.

Or. en

Amendment 110

Proposal for a regulation

Article 48 – paragraph 3 – point a

Text proposed by the Commission

(a) products that by their nature cannot be traded within the internal market and

Amendment

(a) products that by their nature cannot be traded within the internal market and

can only be consumed in or near their place of manufacture, *such as restaurants*;

can only be consumed in or near their place of manufacture;

Or. en

Amendment 111

Proposal for a regulation Article 50 – paragraph 2

Text proposed by the Commission

2. Insofar as sourcing entirely from within the defined geographical area is not *technically* practicable, feed sourced from outside that area can be added, provided that the product quality or characteristic essentially due to the geographical environment are not affected. Feed sourced from outside the defined geographical area shall not exceed 50 % of dry matter on an annual basis.

Amendment

2. Insofar as sourcing entirely from within the defined geographical area is not practicable, feed sourced from outside that area can be added, provided that the product quality or characteristic essentially due to the geographical environment are not affected. Feed sourced from outside the defined geographical area shall not exceed 50 % of dry matter on an annual basis.

Or. en

Amendment 112

Proposal for a regulation Article 57 – paragraph 1

Text proposed by the Commission

1. Applications for the registration of a traditional speciality guaranteed may only be submitted by groups of producers of products with the name to be protected. Several groups from different Member States or third countries may lodge a joint application for registration.

Amendment

1. Applications for the registration of a traditional speciality guaranteed may only be submitted by groups of producers of products with the name to be protected. Several groups from different Member States or third countries may lodge a joint application for registration. *Other interested parties, including regional or local public bodies, may help in the preparation of the application and in the related procedure.*

Or. en

Amendment 113

Proposal for a regulation Article 60 – paragraph 2

Text proposed by the Commission

2. The scrutiny should not exceed a period of **6** months. In the event that the scrutiny period *exceeds* or is likely to *exceed 6 months* the Commission shall inform the applicant of the reasons for the delay in writing.

Amendment

2. The scrutiny should not exceed a period of *five months*. *In duly justified cases, the scrutiny period may be extended by a maximum of three* months. In the event that the scrutiny period *is extended* or is likely to *be extended* the Commission shall inform the applicant of the reasons for the delay in writing.

Or. en

Amendment 114

Proposal for a regulation Article 61 – paragraph 2

Text proposed by the Commission

2. The Member State shall inform the Commission without delay if the application to the Commission has been invalidated at national level by an immediately applicable but not final judicial decision. In this case, the Commission shall be exempted from the obligation to meet the deadline to perform the scrutiny referred to in Article 60(2) *and to inform the applicant of the reasons for the delay*.

Amendment

2. The Member State shall inform the Commission without delay if the application to the Commission has been invalidated at national level by an immediately applicable but not final judicial decision. In this case, the Commission shall be exempted from the obligation to meet the deadline to perform the scrutiny referred to in Article 60(2).

Or. en

Amendment 115

Proposal for a regulation Article 68 – paragraph 1 – point b

Text proposed by the Commission

(b) where no product is placed on the market under the traditional speciality guaranteed for at least 7 years.

Amendment

(b) where no product is placed on the market under the traditional speciality guaranteed for at least **five** years.

Or. en

Amendment 116

Proposal for a regulation

Article 81 – paragraph 1 – point 1

Regulation (EU) No 1308/2013

Article 93 – paragraph 1 – point (b) – point (ii)

Text proposed by the Commission

(ii) as originating in a specific place, region or country;

Amendment

(ii) as originating in a specific place, region or, **in exceptional cases**, country;

Or. en

Amendment 117

Proposal for a regulation

Article 81 – paragraph 1 – point 1

Regulation (EU) No 1308/2013

Article 93 – paragraph 1 – point (b) – point (iii)

Text proposed by the Commission

(iii) as having at least 85 % of the grapes used for its production originating exclusively from that geographical area;

Amendment

(iii) as having at least 85 % of the grapes, **must or wine** used for its production originating exclusively from that geographical area;

Or. en

Amendment 118

Proposal for a regulation

Article 81 – paragraph 1 – point 1 a (new)

Regulation (EU) No 1308/2013
Article 93 – paragraph 4

Present text

4. Production as referred to in paragraph 1, **points (a)(iv) and (b)(iv)**, includes all the operations involved, from the harvesting of the grapes to the completion of the wine-making processes, with the exception of **the harvesting of grapes not coming from the geographical area concerned as referred to in paragraph 1, point (b)(iii), and with the exception of** any post-production processes.

Amendment

(1 a) In Article 93, paragraph 4 is replaced by the following:

"4. Production as referred to in paragraph 1, **point (a)(iv)**, includes all the operations involved, from the harvesting of the grapes to the completion of the wine-making processes, with the exception of any post-production processes.

"

Or. en

(02013R1308-20211207)

Amendment 119

Proposal for a regulation

Article 81 – paragraph 1 – point 1 b (new)

Regulation (EU) No 1308/2013

Article 93 – paragraph 5

Present text

5. For the purpose of the application of point (b)(ii) of paragraph 1, the maximum 15 % share of grapes which may originate outside the demarcated area shall originate from the Member State or third country in which the demarcated area is situated.

Amendment

(1 b) In Article 93, paragraph 5 is replaced by the following:

"5. For the purpose of the application of point (b)(ii) of paragraph 1, the maximum 15 % share of grapes, **must or wine** which may originate outside the demarcated area shall originate from the Member State or third country in which the demarcated area is situated.

"

Or. en

(02013R1308-20211207)

Amendment 120

Proposal for a regulation

Article 81 – paragraph 1 – point 3 a (new)

Regulation (EU) No 1308/2013

Article –106a (new)

Text proposed by the Commission

Amendment

(3 a) The following Article is inserted:

"Article -106a

Union symbols, indications and abbreviations

1. The following Union symbols designed to mark and publicise designations of origin and geographical indications shall be established:

(a) a symbol identifying protected designations of origin of wine; and

(b) a symbol identifying protected geographical indications of wine.

2. In the case of products that are marketed under a designation of origin or a geographical indication, the Union indications 'protected designation of origin' or 'protected geographical indication' shall appear on the labelling of wine, respectively.

3. The Union symbols established pursuant to paragraph 1 and the Union abbreviations 'PDO' or 'PGI' may appear on the labelling and advertising material of the product marketed under a designation of origin or a geographical indication, as the case may be.

4. The labelling requirements laid down in Article 13(1) of Regulation (EU) No 1169/2011 for the presentation of mandatory particulars shall apply to the product marketed under a designation of origin or a geographical indication, as the case may be.

5. The following may also appear on the

labelling:

(a) depictions of the geographical area of origin referred to in the product specification; and

(b) text, graphics or symbols referring to the Member State and the region in which that geographical area of origin is located.

6. By way of derogation from paragraph 2, the reference to the terms "protected designation of origin" or "protected geographical indication" may be omitted in the following cases:

(a) where a traditional term in accordance with point (a) of Article 112 is displayed on the label in accordance with the product specification referred to in Article 94(2);

(b) in exceptional and duly justified circumstances to be determined by the Commission by means of delegated acts adopted in accordance with Article 227 in order to ensure compliance with existing labelling practices.

7. The Commission shall be empowered to adopt delegated acts, in accordance with Article 227, supplementing this Regulation by establishing the Union symbols for geographical indications.

8. The Commission may adopt implementing acts setting out the technical characteristics of the Union symbols for geographical indications as well as the rules on their use and the use of the indications and abbreviations on products marketed under a registered geographical indication, including rules concerning the appropriate linguistic versions to be used. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2) of Regulation ... /... (the new GI Regulation)."

Or. en

Amendment 121

Proposal for a regulation

Article 81 – paragraph 1 – point 3 b (new)

Regulation (EU) No 1308/2013

Article 113

Present text

Article 113

Protection

1. A protected traditional term may only be used for a product which has been produced in conformity with the definition provided for in Article 112. Traditional terms shall be protected against unlawful use.

2. Traditional terms shall be protected, only in the language and for the categories of grape vine products claimed in the application, against:

(a) any misuse of the protected term, including where it is accompanied by an expression such as "style", "type", "method", "as produced in", "imitation", "flavour", "like" or similar;

(b) any other false or misleading indication as to the nature, characteristics or essential qualities of the product, placed on the inner or outer packaging, advertising material or documents relating to it;

(c) any other practice likely to mislead the consumer, in particular to give the impression that the wine qualifies for the protected traditional term.

3. Traditional terms shall not become generic in the Union.

Amendment

(3 b) Article 113 is replaced by the following

"

Article 113

Registration and protection

1-. A traditional term shall be comprised in the product specification of the product marketed under a designation of origin or a geographical indication.

1. A protected traditional term may only be used for a product which has been produced in conformity with the definition provided for in Article 112. Traditional terms shall be protected against unlawful use.

2. Traditional terms shall be protected, only in the language and for the categories of grape vine products claimed in the application, against:

(a) any misuse of the protected term, including where it is accompanied by an expression such as "style", "type", "method", "as produced in", "imitation", "flavour", "like" or similar;

(b) any other false or misleading indication as to the nature, characteristics or essential qualities of the product, placed on the inner or outer packaging, advertising material or

documents relating to it;

(c) any other practice likely to mislead the consumer, in particular to give the impression that the wine qualifies for the protected traditional term.

3. Traditional terms shall not become generic in the Union.

"

Or. en

(02013R1308-20211207)

Amendment 122

Proposal for a regulation

Article 81 – paragraph 1 – point 3 c (new) Regulation (EU) No 1308/2013

Article 113 a (new)

Text proposed by the Commission

Amendment

(3 c) The following Article is inserted:

"

113 a

Relationship with designations of origin and geographical indications

1. The registration of a traditional term the use of which would contravene Article 27 of Regulation XXXX/20XX (the new GI Regulation) shall be rejected if the application for registration of the traditional term is submitted after the date of submission to the Commission of the application for the registration of the designation of origin or of the geographical indication.

2. Traditional terms registered in breach of paragraph (1) shall be invalidated by EUIPO and, when applicable, the competent national authorities.

"

Or. en

Amendment 123

Proposal for a regulation

Article 81 – paragraph 1 – point 3 d (new)

Regulation (EU) No 1308/2013

Article 119

Present text

Article 119

Compulsory particulars

1. Labelling and presentation of the products referred to in points 1 to 11, 13, 15 and 16 of Part II of Annex VII marketed in the Union or for export shall contain the following compulsory particulars:

(a) the designation for the category of the grapevine product in accordance with Annex VII, Part II. For grapevine products categories defined under Annex VII, Part II, points (1) and points (4) to (9), where such products have undergone a de-alcoholisation treatment in accordance with Annex VIII, Part I, Section E, the designation of the category shall be accompanied by:

(i) the term ‘de-alcoholised’ if the actual alcoholic strength of the product is no more than 0,5 % by volume; or

(ii) the term ‘partially de-alcoholised’ if the actual alcoholic strength of the product is above 0,5 % by volume and is below the minimum actual alcoholic strength of the category before de-alcoholisation.

(b) for wines with a protected designation of origin or a protected geographical indication:

(i) the term "protected designation of origin" or "protected geographical indication"; and

(ii) the name of the protected designation of origin or the protected geographical

Amendment

(3 c) Article 119 is amended as follows:

"Article 119

Compulsory particulars

1. Labelling and presentation of the products referred to in points 1 to 11, 13, 15 and 16 of Part II of Annex VII marketed in the Union or for export shall contain the following compulsory particulars:

(a) the designation for the category of the grapevine product in accordance with Annex VII, Part II. For grapevine products categories defined under Annex VII, Part II, points (1) and points (4) to (9), where such products have undergone a de-alcoholisation treatment in accordance with Annex VIII, Part I, Section E, the designation of the category shall be accompanied by:

(i) the term ‘de-alcoholised’ if the actual alcoholic strength of the product is no more than 0,5 % by volume; or

(ii) the term ‘partially de-alcoholised’ if the actual alcoholic strength of the product is above 0,5 % by volume and is below the minimum actual alcoholic strength of the category before de-alcoholisation.

(c) the actual alcoholic strength by volume;

(d) an indication of provenance;

(e) an indication of the bottler or, in the case of sparkling wine, aerated sparkling

indication;

(c) the actual alcoholic strength by volume;

(d) an indication of provenance;

(e) an indication of the bottler or, in the case of sparkling wine, aerated sparkling wine, quality sparkling wine or quality aromatic sparkling wine, the name of the producer or vendor;

(f) an indication of the importer in the case of imported wines; and

(g) in the case of sparkling wine, aerated sparkling wine, quality sparkling wine or quality aromatic sparkling wine, an indication of the sugar content.

2. By way of derogation from paragraph 1, point (a), for grapevine products other than those which have undergone a de-alcoholisation treatment in accordance with Annex VIII, Part I, Section E, the reference to the category of the grapevine product may be omitted for wines whose labels include the name of a protected designation of origin or protected geographical indication.

3. By way of derogation from point (b) of paragraph 1, the reference to the terms "protected designation of origin" or "protected geographical indication" may be omitted in the following cases:

(a) where a traditional term in accordance with point (a) of Article 112 is displayed on the label in accordance with the product specification referred to in Article 94(2);

wine, quality sparkling wine or quality aromatic sparkling wine, the name of the producer or vendor;

(f) an indication of the importer in the case of imported wines; and

(g) in the case of sparkling wine, aerated sparkling wine, quality sparkling wine or quality aromatic sparkling wine, an indication of the sugar content.

2. By way of derogation from paragraph 1, point (a), for grapevine products other than those which have undergone a de-alcoholisation treatment in accordance with Annex VIII, Part I, Section E, the reference to the category of the grapevine product may be omitted for wines whose labels include the name of a protected designation of origin or protected geographical indication."

(b) in exceptional and duly justified circumstances to be determined by the Commission by means of delegated acts adopted in accordance with Article 227 in order to ensure compliance with existing labelling practices.

Or. en

(02013R1308-20211207)

Amendment 124

Proposal for a regulation

Article 82

Regulation (EU) 2017/1001

Article 151 – paragraph 1

Text proposed by the Commission

Amendment

Article 82

deleted

*Amendments to Regulation (EU)
2017/1001*

Regulation (EU) 2017/1001 is amended as follows:

(1) in Article 151(1), the following point is inserted:

‘

(f)

*administration of geographical indications, notably the tasks conferred on it by means of Commission delegated acts adopted in accordance with Article [...] of Regulation (EU) .../... of the European Parliament and of the Council[Regulation on GIs]**

** Regulation (EU) .../... of the European Parliament and of the Council of [...] [...] (OJ L [...], p....)..*

,

Or. en

Amendment 125

Proposal for a regulation Article 84 – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article **12(4)**, **Article 14(2)**, **Article 15(6)**, **Article 17(5)**, Article 19(10), Article 23(7), Article **25(10)**, **Article 26(6)**, Article **28(3)**, **Article 29(3)**, **Article 34(3)**, **Article 46(1)**, **Article 46**, Article 47(1), Article 48(6), Article 48(7), Article 49(4), Article 51(3), Article 55(5), Article 56(2), Article 73(10), Article 69(4), Article 70(2), Article 58(3), Article 62(10), Article 67(3), Article 68(6), Article 76(4), Article 77(1), Article 78(3), Article 78(4), shall be conferred on the Commission for a period of **7** years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than **9** months before the end of the seven-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than 3 months before the end of each period.

Amendment

2. The power to adopt delegated acts referred to in Article **14(2)**, Article 19(10), Article 23(7), Article 26(6), Article **34(3)**, Article 47(1), Article 48(6), Article 48(7), Article 49(4), Article 51(3), Article 55(5), Article 56(2), Article 73(10), Article 69(4), Article 70(2), Article 58(3), Article 62(10), Article 67(3), Article 68(6), Article 76(4), Article 77(1), Article 78(3), Article 78(4), shall be conferred on the Commission for a period of **three** years from ... [**the** date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than **nine** months before the end of the seven-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than 3 months before the end of each period.

Or. en