

GIs
ALL CAs agreed

CA A (art. 1)

Covers: AMs 204 (Re), 205 (EPP), 206 (Greens), 207 Re, 208 EPP, 209 ECR, 210 S&D, 211 GREENS, 212 (S&D), 213 (ECR), 214 (ECR), 215 (S&D), 216 (S&D), 217 (S&D), 218 (ECR), 219 (ECR), INTA 17, INTA 18

Article 1
Subject matter

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

- (a) *protected designations of origin (PDOs) and protected geographical indications (PGIs) for wine, agricultural products and foodstuffs, and geographical indications for spirit drinks;*
- (b) traditional specialities guaranteed (*TSGs*); and
- (c) optional quality terms for agricultural products.

CA B (art. 2)

Covers: AMs 1, 2 (Rapporteur), 220 (S&D), 221 (EPP), 222 (Re), 223 (The Left), 224 (Greens), 225 (ID), 226 (EPP), 228 (S&D), 229 (ECR), 230 (ECR), 231 (S&D), 232 (Re), 233 (Greens), 234 (S&D), 235 (EPP), 236 (EPP), 237 (EPP), 238 (EPP), 239 (S&D), 240 (EPP), 241 (EPP), 242 (Re), 243 (EPP), 244 (RE)

Article 2

Definitions

1. For the purposes of this Regulation the following definitions shall apply:

(-a) ‘quality schemes’ means the schemes established under Titles II, III and IV;

(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;

(b) ‘traditional’ and ‘tradition’, associated with a product, means proven historical usage *of the name* by producers in a community for a period that allows transmission between generations; *that* period is to be at least 30 years and *such* usage may embrace modifications necessitated by changing hygiene, safety *and other relevant* practices, *such as those related to sustainability, animal health and welfare* ;

(d) ‘production step’ means any stage of *supply*, production, processing, preparation or ageing, *performed* up to the point where the product *meets all the requirements needed* to be placed on the internal market;

(f) ‘product certification bodies’ means *delegated* bodies within the meaning of Title II, Chapter III, of Regulation (EU) 2017/625 which certify that products designated by geographical indications or traditional specialities guaranteed comply with the product specification.

(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.*

~~–(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~~

~~–(ii) a common term descriptive of types of products, product attributes or other terms~~

that do not refer to specific product;

CA C (art. 4)

4.1d)and 4.1e) SHARED COMPETENCES WITH JURI

Covers: AMs 4, 5, 6, 7, 8, 9, 10 (Rapporteur), 255 Greens, 256 (Greens), 257 (EPP), 258 (EPP), 259 (EPP), 260 (Re), 261 (Greens), 262 (ID), 263 (EPP), 264 (S&D), 265 (S&D), 266 (NA), 267 (EPP), 268 (S&D), 269 (ID), 270 (EPP), 271 (EPP), 272 (RE), JURI 16, JURI 17, JURI 18, INTA 19, INTA 20, INTA 21, INTA 22, INTA 23, INTA 24, INTA 25, INTA 26

Article 4

Objectives

1. This Title provides for a unitary and exclusive system of geographical indications, protecting the names of wine, spirit drinks and agricultural products having characteristics, attributes or reputation linked to their place of production, thereby:

(-a) helping producers obtain a fair return for the quality of their products;

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

(a) *ensuring 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 dimensions of economic, environmental and social value, *animal health and welfare*, and to operate in the *Union internal market and on international markets*;

(b) *ensuring* fair competition for *farmers and* producers *of agricultural products and foodstuffs, in order to generate added value* in the marketing chain;

(ba) contributing to the aim of sharing that added value fairly-across the supply chain, in order to ensure producers' capacity to invest in the quality, reputation and sustainability of their products;

(c) *ensuring that* consumers receive reliable information and a guarantee of authenticity *and traceability of the quality, reputation and other characteristics linked to the place of production* of such products and can readily identify them in the marketplace including in *the domain name system and in* electronic commerce;

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

(e) *ensuring effective controls, enforcement, use and marketing* throughout the Union *and in the domain name system* and in electronic commerce, *thereby* ensuring the integrity of the internal market;

(ea) *preserving know-how, and promoting and supporting local and regional products.*

CA D (art. 6)

Covers : AMs 11 (Rapporteur), 281 (Re), 282 (S&D)

Article 6

Classification

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) No 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 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) *of this Regulation.*

CA E (art. 7.1.f)

Covers: AMs 12 (Rapporteur), 283 (S&D), 245 (S&D), 247 (S&D), 248 (S&D), 249 (S&D), 250 (S&D), 251(S&D), 294 (Re), 295 (Verts), 296 (The Left), 297 (EPP)

Article 7

Definitions

1. For the purposes of this Title the following definitions shall apply:

(f) ‘recognised producer group’ means a formal association *of producers* recognised by the competent national authorities as the sole group to *represent and* act on behalf of all producers, *and fulfilling the requirements set out in Article 33 (1) and (2)*;

CA F (art. 8)

Covers : AMs 14 (Rapporteur), 299 (Re), 300 (S&D), 301 (Verts), 302 (ECR), 303 (EPP)

Article 8

Applicant

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 specialist organisations, non-governmental organisations or* public bodies may *provide technical advice and* help in the preparation of the application and in the related procedure.

CA G (art. 9)

Covers : AMs 16 (Rapporteur), 318 (Re), 319 (S&D), 320 (EPP)

Article 9

National stage of the procedure of registration

7. The Member State shall ensure that its decision, be it favourable or not, is made public and that the applicant 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.

CA H (art. 12) - Sustainability undertakings

Covers AMs 3, 17, 18, 19, 20 (Rapporteur), 328 (ECR), [329 (ID), 330 (RE), 331 (EPP), 332 (EPP), 333 (Greens), 334 (The Left), 335 (S&D), 336 (RE), 337 (Greens), 338 (ECR), 339 (Re), 340 (S&D), 341 (EPP), 342 (EPP), 343 (ID), 344 (S&D), 345 (EPP), 346 (ECR), 347 (ID), 348 (S&D), [349 (Greens)], 350 (EPP), 351 (ECR), 352 (S&D), 353 (ID), 354 (EPP), 355 (The Left), INTA 32, INTA 33, INTA 34, INTA 35

Article 12

Sustainability undertakings

- 1. For the purpose of this Article, a ‘sustainability undertaking’ refers to an undertaking which contributes to one or more social, environmental or economic objectives, including:

- (a) climate change mitigation and adaptation, including energy efficiency and decrease water consumption;*
- (b) preservation and sustainable use of soil, landscapes and natural resources;*
- (c) improving soil fertility;*
- (d) preservation of biodiversity and plants varieties, ~~and transition to a circular economy;~~*
- (e) transition to a circular economy;*
- (f) reduction of the use of pesticides;*
- (g) reduction of greenhouse gas (GHG) emissions;*
- (h) reduction of the use of antimicrobials;*
- (i) improving animal health and welfare;*
- (j) securing viable income and improving resilience for producers of products benefiting from a protected designation of origin or a protected geographical indication;*
- (k) improving the quality and the economic value of products benefiting from a protected designation of origin or a protected geographical indication, and redistributing added value across the supply chain;*
- (l) contributing to the diversification of activities promoting the rural economy;*
- (m) promoting local agricultural production, and preserving the rural fabric and local development, including agricultural employment;*
- (n) attracting and sustaining young producers of products benefiting from a protected designation of origin or a protected geographical indication and new producers of*

products benefiting from a protected designation of origin or a protected geographical indication, and facilitating the inter-generational transmission of know-how and culture;

- (o) improving working and safety conditions in agricultural and processing activities;*
- (p) contributing to the valorisation of rural areas as well as cultural and gastronomic heritage to promote education on themes concerning the quality system, food safety and balanced and diversified diets;*
- (q) improving coordination between producers through improved efficiency of the governance instruments.*

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 *that goes beyond that required* 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, *may complement and contribute to producers' broader agro-ecological strategies to combat climate change* and may refer to existing sustainability schemes.

2. The Sustainability undertakings *agreed in accordance with* paragraph (1) *of this Article shall* be included in the product specification *or shall be developed under separate initiatives*.

3. The sustainability undertakings referred to in paragraph 1 shall be without prejudice to requirements for compliance with hygiene, safety standards and competition rules.

~~4. The Commission shall be empowered to adopt delegated acts in accordance with Article 84 defining sustainability standards in different sectors and laying down criteria for the recognition of existing sustainability standards to which producers of products designated by geographical indications may adhere.~~

~~5. The Commission may adopt implementing acts defining a harmonised presentation of sustainability undertakings. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2).~~

Article 12a AGREED

Sustainability report

1. Producer groups shall may prepare a sustainability report based on internal audit activities, comprising a description of existing sustainable practices implemented in the production of the product, 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.

The sustainability report may be updated to take account in particular of progress compared with the outcome of previous internal audit activities.

2. The Commission may adopt implementing acts setting out a harmonised format and-online presentation of the report provided for in paragraph 1 of this Article, contributing to the aim of sharing and replicating sustainable practices, including through advisory services and the development of a network for the exchange of such practices. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2).

CA I (art. 14)

Covers AMs 21 (Rapporteur), 368 (EPP), INTA 36

Article 14

Accompanying documentation

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.

COMPROMISE AK

Covers: AMs 22(Rapporteur), 369 (S&D), 370 (S&D), 371 (S&D), 372 (ECR), 373 (ID), 374 (S&D)

Article 15

Union application for registration

1. For geographical indications concerning products originating in the Union, the Union application for registration shall comprise:

(-a) the product specification referred to in Article 11;

(a) the single document referred to in Article 13;

(b) the accompanying documentation referred to in Article 14;

(c) a declaration by the Member State to which the application was initially addressed, confirming that the application meets the conditions for registration; and

(d) the electronic publication reference of the product specification which shall be maintained up to date.

2. For geographical indications concerning products originating outside the Union, the Union application for registration shall comprise:

(a) the product specification with its publication reference,

(b) the single document referred to in Article 13;

- (c) the accompanying documentation referred to in Article 14;
- (d) legal proof of protection of the geographical indication in its country of origin; and
- (e) a power of attorney where the applicant is represented by an agent.

3. A joint application for registration referred to in Article 8(4) shall be submitted by one of the Member States concerned or by an applicant producer group in a third country, directly or through the authorities of that third country.

4. The joint application for registration referred to in Article 8(4) shall include, as relevant, the documents listed in paragraph (1) or (2) from all Member States or third countries concerned. The related national procedures, including the opposition stage, shall be carried out in all the Member States concerned.

5. The documents referred to in this Article shall be drafted in one of the official languages of the Union.

~~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.~~

7. The Commission may adopt implementing acts laying down detailed rules on procedures, the form and presentation of Union applications for registration, including for applications concerning more than one national territory. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2).

COMPROMISE V - shared competences with JURI

Covers: AMs 23, 24 (Rapporteur), 377 (EPP), 378 (S&D), 379 (Re), 380 (ID), 381 (EPP), 382 (EPP), 383 (ID), 384 (S&D), 385 (S&D) 391(EPP), 392 (ECR), 393 (ECR), 394 (ECR), 395 (Greens), 396 (ID), 397 (S&D), JURI 19, JURI 20, JURI 22, JURI 23, JURI 24, JURI 25, JURI 26, JURI 27, INTA 37, INTA 38

Article 17

Examination by the Commission and publication for opposition

1. The Commission shall *examine* any application for registration that it receives pursuant to Article 16(1). *The Commission shall verify* that there are no manifest errors, that the information provided in accordance with Article 15 is complete and that the single document referred to in Article 13 is precise. *The Commission* shall take into account the outcome of the national procedure carried out by the Member State concerned.

2. *Subject to paragraph 3, the examination period shall not exceed five months from the date of submission of the application for registration.*

That examination period shall not include the period which starts on the date on which the Commission sends its observations or a request for supplementary information to the Member State, and ends on the date on which the Member State responds to the Commission in relation to such observations or to such a request.

In duly justified cases, the examination period may be extended by a maximum of three months. In the event that the *examination* period *is extended* or is likely to *be extended* the Commission shall inform the applicant of the reasons for the delay in writing *and of the date on which the examination period is expected to end.*

3. *Within three months following the submission of the application for registration, the Commission may seek supplementary information from the competent authority or from the applicant.*

4. Where, based on the *examination* carried out pursuant to paragraph 1, the Commission considers that the conditions laid down in this Regulation and in Regulations (EU) No 1308/2013 and (EU) 2019/787, as appropriate, are fulfilled, it shall publish in the Official Journal of the European Union the single document and the reference to the publication of the product specification.

~~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.~~

COMPROMISE Z - shared competences with JURI

Covers AMs 25 (Rapporteur), 398 (EPP), 399 (Re), 400 (EPP), 401 (ID), 402 (EPP), JURI 28, JURI 29, JURI 30, JURI 31, JURI 32

Article 18

National challenge to an application for registration

1. Member States shall *immediately inform* the Commission of any national administrative or judicial proceedings that may affect the registration of a geographical indication.

2. The Commission shall be exempted from the obligation to meet the deadline to perform the *examination* 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:
 - (a) informs the Commission that the decision referred to in Article 9(6) has been invalidated at national level by an immediately applicable but not final judicial decision; or
 - (b) requests the Commission to suspend the *examination* because national administrative or judicial proceedings have been initiated to challenge the validity of the application and the Member State considers that those proceedings are based on valid grounds.

The Commission shall inform the applicant of the reasons for the delay.

3. The exemption *provided for in paragraph 2* shall have effect until the Commission is informed by *the competent authority of* the Member State that the original application has been restored or that the Member State withdraws its request for suspension.

4. If the application has been invalidated by a final decision taken by a national court, *the competent authority of* the Member State shall consider appropriate action such as withdrawal or modification of the Union application for registration, as necessary.

COMPROMISE AA - shared competences with JURI

Covers: AMs 26, 27, 28 (Rapporteur), 403 (EPP), 404 (The Left), 405 (ECR), 406 (EPP), 407 (The Left), 408 (ECR), 409(EPP), 410(ECR), 411(EPP), 412(Greens), 413(Re), 414 (EPP), 415 (Re), 416 (ID), 417(S&D), 418 EPP), 419 (ECR), 420 EPP), 421 (RE), 422 (The Left), 423 (Re), 424 (ECR), 425 (EPP), 426 (ECR), 427 (ECR), 428 (ECR), 429 (Greens), 430 (EPP), 431 (ID), 432 (S&D), JURI 33, JURI 34, JURI 35, JURI 36, JURI 37, JURI 38, JURI 39, JURI 40, JURI 41, JURI 42, INTA 39. INTA 40

Article 19

Union opposition procedure

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 with 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 to be lodged pursuant to paragraph (1).

3. An opposition shall claim that the application could infringe the conditions laid down in this Regulation, Regulations (EU) No 1308/2013 or (EU) 2019/787, as appropriate, and give reasons. An opposition that does not contain the said claim shall be void.

4. The Commission shall *examine* the admissibility of the opposition. If the Commission considers that the opposition is admissible, it shall, within 5 months from the date of publication in the Official Journal of the European Union ***and within 30 days from the date of receipt of that opposition*** invite the authority or the person that lodged the opposition and the authority or the applicant producer group that lodged the application, ***in writing***, to engage in appropriate consultations for a reasonable period that shall not exceed 3 months. At any time during that

period, the Commission may, at the request of the authority or the applicant producer group, extend the deadline for the consultations by a maximum of 3 months.

5. The authority or the person that lodged the opposition and the authority or applicant producer group that lodged the application shall start appropriate consultations without undue delay. They shall provide each other with the relevant information to assess whether the application for registration complies with this Regulation, Regulations (EU) No 1308/2013 or (EU) 2019/787, as appropriate.

6. Within 1 month from the end of the consultations referred to in paragraph (4), the applicant producer group established in the third country or the *competent* authorities of the Member State or of the third country from which the Union application for registration was lodged shall notify the Commission of the result of the consultations, including all the information exchanged, whether agreement was reached with one or all of the opponents, and of any consequent changes to the application for registration. The authority or person that lodged an opposition to the Commission may also notify the Commission of its position at the end of the consultations.

7. Where, following the end of the consultations referred to in paragraph (4), the data published in accordance with Article 17(4) have been modified, the Commission shall repeat its *examination* of the application for registration as modified. Where the application for registration has been modified in a substantial manner, and the Commission considers that the modified application meets the conditions for registration, it shall publish the application once more in accordance with that paragraph.

8. The documents referred to in this Article shall be drafted in one of the official languages of the Union.

9. After completion of the opposition procedure, the Commission shall finalise its assessment of the Union application for registration, taking into account any request for transitional periods, the outcome of the opposition procedure, and any other matters arising subsequently to its *examination* that may imply a change of the single document.

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.

11. The Commission may adopt implementing acts defining the format and online presentation of oppositions and official comments, if applicable, and providing for the exclusion or anonymisation of protected personal data. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2).

COMPROMISE AB bis - shared competences with JURI

Covers AMs 439 (The Left), JURI 44

Article 20a

Notice of comment procedure

- 1. In order to correct inaccuracies in an ongoing registration procedure for a geographical indication, a competent authority of a Member State or of a third country, or a natural or legal person having a legitimate interest and established or resident in a third country or in another Member State, may lodge a notice of comment with the Commission within three months from the date of publication of the single document and the product specification reference in the Union register.*
- 2. The notice of comment referred to in paragraph 1 of this Article shall not be based on the grounds for opposition referred to in Article 19. The competent authority or person that lodges a notice of comment shall not be considered to be a party to the procedure.*
- 3. The Commission shall share the notice of comment with the applicant and shall take the notice of comment into consideration when deciding on the application of the registration, unless it is unclear or obviously incorrect.*
- 4. In order to facilitate the management of the notice of comment procedure, the Commission may adopt implementing acts laying down rules on the submission of such notice of comments and specifying their format and online presentation. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2).*

COMPROMISE AL - shared competences with JURI

Covers AMs 443 (Greens), 444 (S&D), 445 (EPP), 446 (S&D), 447 (Renew), 448 (EPP), 449 (ECR), 450 (ID), 451 (Greens), INTA 41, JURI 53, 54, 55, 56, 57

Article 23

Union register of geographical indications

1. The Commission shall adopt implementing acts, without applying the procedure referred to in Article 53(2), containing provisions on establishing and maintaining *an* accessible electronic register of geographical indications protected under this Regulation (the ‘Union register of geographical indications’), *which shall be made easily accessible to the public and in a machine-readable format as defined in Article 2, point (13), of Directive (EU) 2019/1024 of the European Parliament and of the Council*¹. The register shall have three parts corresponding to geographical indications of wine, of spirit drinks and of agricultural products respectively.

1a. The EUIPO shall maintain and keep the Union register up-to-date with respect to registrations, amendments and cancellations of geographical indications. (443, JURI 54)

2. Each geographical indication of wine and of agricultural products shall be identified in the Union register of geographical indications as a ‘protected designation of origin’ or a ‘protected geographical indication’ as the case may be, and each geographical indication of spirit drinks shall be identified as a ‘geographical indication’.

3. Geographical indications concerning products from third countries that are protected in the Union under an international agreement to which the Union is a contracting party may be entered in the Union register of geographical indications. The Commission shall register such geographical indications by means of implementing acts adopted in accordance with the examination procedure referred to in Article 53(2) *and shall make public the criteria used to decide upon the geographical indications protected under the relevant international agreement*. As regards wine and agricultural products, unless specifically identified in those

¹ *Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (OJ L 172, 26.6.2019, p. 56).*

agreements as protected designations of origin, the names of such products shall be entered in the Union register of geographical indications as protected geographical indications.

4. Each geographical indication shall be entered in the Union register of geographical indications in its original script. Where the original script is not in Latin characters, the geographical indication shall be transcribed in Latin characters and both versions of the geographical indication shall be entered in the Union register of geographical indications and shall have equal status.

5. The *EUIPO* shall make public and, *in the case of changes*, update the list of the international agreements referred to in paragraph (3) as well as the list of geographical indications protected under those agreements.

6. The Commission shall retain documentation related to the registration of a geographical indication in digital or paper form. *In the case of cancellation and rejection, the Commission shall retain documentation* for 10 years thereafter.

6a. Once a new geographical indication or the modification of a previous geographical indication has been added by the EUIPO in the Union register of geographical indications, the Commission shall, in its capacity as Competent Authority within the meaning of Article 3 of the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications (the ‘Geneva Act’), file an application for the international registration of the geographical indication thus added in the Union register of geographical indications and which pertains to a product originating in the Union pursuant to Article 5(1) and (2) of the Geneva Act with the International Bureau of the World Organization for Intellectual Property. The fees to be paid under Article 7 of the Geneva Act, as specified in the Common Regulations under the Lisbon Agreement and the Geneva Act, shall be borne by the Member State in which that geographical indication originates.

~~7. The Commission shall be empowered to adopt delegated acts in accordance with Article 84 supplementing this Regulation by rules on entrusting EUIPO to operate the Union register of geographical indications.~~

8. The Commission may adopt implementing acts defining the content and presentation of the Union register of geographical indications. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2).

COMPROMISE AB - shared competences with JURI

Covers: AMs 452 (ID), 453 (EPP), 454 (S&D), 455 (Re), JURI 58, JURI 59

Article 24

Extracts from the Union register of geographical indications

1. Any person shall be able to *easily and free of charge* download an official extract from the Union register of geographical indications that provides proof of registration *or rejection* of the geographical indication, and *other* relevant data including the date of application for the registration of the geographical indication or other priority date. *The official extract shall be prepared in a machine-readable format as defined in Article 2, point (13), of Directive (EU) 2019/1024 of the European Parliament and of the Council². That official extract may be used as an authentic certificate in legal proceedings, in a court of law, court of arbitration or similar body.*

2. Where a producer group has been recognised by the national authorities *or by a third country authority, in accordance with Article 33*, that group shall be identified as the *representative of producers of a product designated by a* the geographical indication in the Union register of geographical indications and in the official extract referred to in paragraph (1) *of this Article*.

3. The Commission may adopt implementing acts *setting out* the online presentation of extracts from the Union register of geographical indications *and which machine-readable format is to be used*, and providing for the exclusion or anonymisation of protected personal data. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2).

² *Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (OJ L 172, 26.6.2019, p. 56).*

COMPROMISE AC- shared competences with JURI

Covers: AMs 30, 31, 32, 33, 34, 35, 36, 37, 38 (Rapporteur), 456 (S&D), 457 (S&D), 458 (EPP), 459 (ECR), 460 (EPP), 461 (ID), 462 (EPP), 463 (ECR), 464 (EPP), 465 (EPP), 466 (ECR), 467 (Greens), 468 (ECR), 469 (EPP), 470 (The Left), 471 (ID), 472 (EPP), 473 (EPP), 474 (EPP), 475 (ID), 476 (ID), 477 (EPP), 478 (ID), 479 (Greens), 480 (ID), 481 (ECR), 482 (S&D), 483 (ECR), JURI 60, JURI 61, JURI 62, JURI 63, JURI 64, JURI 65, JURI 66, JURI 67, JURI 68, JURI 69, JURI 70, INTA 44

Article 25

Amendments to a product specification

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

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

2. Amendments to a product specification shall be classified into two categories:

- (a) Union amendments, requiring an opposition procedure at Union level; and
- (b) standard amendments to be dealt with at Member State or third country level.

3. An amendment shall be *considered as* a Union amendment if it entails a change of the single document and:

- (a) includes a change in the name or
- b) *where the scrutiny carried out by the relevant Member State under paragraph 2, point (b), has concluded that that amendment might void the link to the geographical area referred to in the single document* ; or
- (c) entails further restrictions on the marketing of the product.

4. Any other amendment to a product specification of a registered geographical indication, that is not a Union amendment in accordance with paragraph 3, shall be considered as a standard 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, *geopolitical events or any other exceptional* conditions formally recognised by the competent authorities.

6. Union amendments shall be *assessed and* approved by the Commission *within three months from the application for the approval of an amendment to the product specification of a registered geographical indication.*

Without prejudice to the first subparagraph of this paragraph, the approval procedure shall follow, *mutatis mutandis*, the procedure laid down *in* Articles 8 to 22.

Where the amendments concern the product specifications of a geographical indication registered in the International Register, Article 23(6a) shall apply, mutatis mutandis.

7. Applications for Union amendments submitted by a third country, *by producer groups* or, *in exceptional and duly justified cases*, by *individual* producers *established* in a third country shall contain proof that the requested amendment complies with the laws on the protection of geographical indications in force in that third country.

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 *examine* the Union amendment only. Any standard amendments or temporary amendments shall be deemed as not having been submitted. The *examination* of such applications shall focus on the proposed Union amendments.

9. Standard amendments shall be *assessed 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 *by publishing them*

in the Official Journal of the European Union and in the Union register of geographical indications.

~~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).~~

11. The Commission may adopt implementing acts laying down detailed rules on procedures, the form and presentation of an application for a Union amendment and on procedures, the form and communication of standard amendments to the Commission. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2).

COMPROMISE AD - shared competences with JURI

Covers: AMs 39, 40 (Rapporteur), 484 (S&D), 485 (S&D), 486 S&D , 487 (ID), 488 (EPP), 489 (ECR), 490 (ID), 491 (The Left), 492 (EPP), 493 (ID), 494 (S&D), 495 (ECR), 496 (EPP), 497 (Greens), 498 (Re), 499 (ECR), 500 (ECR), JURI 71, JURI 72, INTA 45

Article 26

Cancellation of the registration

1. The Commission may, on its own initiative or on a duly substantiated request by a Member State, a third country or any natural or legal person having a legitimate interest, adopt implementing acts to cancel the registration of a geographical indication in the following cases:

(a) where compliance with the requirements for the product specification can no longer be ensured; or

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

2. The Commission *may* adopt implementing acts cancelling the registration at the request of the *producer group representing a majority of* producers of the product marketed under the registered name.

2a. The use and the protection of the registered name as another intellectual property right, in particular as a trade mark, shall be prohibited for 10 years after the cancellation of the registration of a geographical indication, unless such intellectual property right had existed, or such a trademark had been registered, before the registration of the geographical indication.

~~*2a. The use and the protection as another intellectual property right of the registered name shall be prohibited for 10 years after the cancellation of the registration of a geographical indication.*~~

3. The implementing acts referred to in paragraphs 1 and 2 shall be adopted in accordance with the examination procedure referred to in Article 53(2).

4. Article 9, Articles from Article 15 to Article 20 and Article 22 shall apply mutatis mutandis to the cancellation procedure.

5. Before adopting the implementing acts referred to in paragraphs 1 and 2, the Commission shall consult the authorities of the Member State, the authorities of the third country or, where possible, the third country producer which had originally applied for the registration of the geographical indication concerned, unless the cancellation is directly requested by those original applicants.

~~6. The Commission shall be empowered to adopt delegated acts in accordance with Article 84 supplementing this Regulation by rules entrusting EUIPO with the tasks set out in paragraph (5).~~

7. The Commission may adopt implementing acts laying down detailed rules on procedures and the form of the cancellation of registrations, as well as on the presentation of the requests referred to in paragraphs 1 and 2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2).

COMPROMISE AE - shared competences with JURI

Covers: AMs 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 (Rapporteur), 501 (S&D), 502 (EPP), 503 (ID), 504 (S&D), 505 (ID), 506 (EPP), 507 (ECR), 508 (S&D), 509 (EPP), 510 (ID), 511 EPP, 512 S&D, 513 (ECR), 514 (ECR), 515 (EPP), 516 (ECR), 517 (EPP), 518 (Re), 519 (ID), 520 (ID), 521 (NI), 522 (ECR), 523 (EPP), 524 (S&D), 525 (ID), 526 (ID), 527 (ID), 528 (ID), 529 (S&D), JURI 73, JURI 74, JURI 75 , JURI 76, INTA 46-53

Article 27

Protection of geographical indications

1. Geographical indications entered in the Union register of geographical indications shall be protected against:

(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*;

(b) any misuse, *counterfeiting*, 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*.

(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;

(d) any other practice liable to mislead the consumer as to the true origin of the product.

~~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.~~

3. ~~p~~Paragraph (1) shall also apply to a domain name containing or consisting of the registered geographical indication.

4. The protection referred to in paragraph (1) also applies to:

(a) goods entering the customs territory of the Union without being released for free circulation within that territory;

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

(b) goods sold by means of distance selling, such as electronic commerce.

4a. Where the geographical indication contains one or more non-generic terms, the use of one, some or all of them in the same or in a different order from the one registered shall constitute one of the types of conduct referred to in paragraph 1, points (a) and (b).

5. The group of producers 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).

6. Geographical indications protected under this Regulation shall not become generic in the Union.

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, *as a general rule*, conduct referred to in paragraph (1), points (a) and (b).

7a. 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. 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.

CA J (art. 28)

Covers: AMs 51, 52, 53 (Rapporteur), 530 (EPP), 531 (EPP), 532 (EPP), 533 (EPP), 534 (S&D), 535 (EPP), 536 (EPP), 537 (ECR), 538 (ID)

Article 28

Ingredients in processed products

1. *The name* of a geographical indication *used* by operators in conformity with Article 36 *as an ingredient in* a processed product *may be referred to in the list of ingredients*, provided that *such use complies with Article 27, that it* is made in accordance with honest commercial practices and does not weaken, dilute or is not detrimental to the reputation of the geographical indication, *and that it complies with the applicable provisions of Regulation (EU) 2019/787 in respect of spirit drinks.*

2. The geographical indication designating a product ingredient shall not be used in the food name, *labelling except the list of ingredients, packaging device or advertising* of the related processed product, except in cases *of the existence of* an agreement *in writing including control provisions concluded* with a *the recognised* producer group *or, where such a group does not exist, the producer group* representing a *majority* of producers, *which may establish minimum conditions for the fair usage of the name.*

~~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.~~

CA K (art. 32)

Covers: AMs 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66 (Rapporteur), 543 (Re), 544 (S&D), 545 (NA), 546 (EPP), 547 (EPP), 548 (Greens), 549 (EPP), 550 (EPP), 551 (EPP), 552 (EPP), 553 (EPP), 554 (EPP), 555 (EPP), 556 (EPP), 557 (ECR), 558 (Greens), 559 (EPP), 560 (S&D), 561 (EPP), 562 (NA), 563 (S&D), 564 (Re), INTA 54, INTA 55, INTA 56, INTA 57

Article 32

Producer groups

1. A producer group shall be set up on the initiative of interested stakeholders, including farmers, farm suppliers, *producers and associations of producers* processors, as specified by the *relevant* national authorities *in accordance with their national legislation*, 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 *via, in particular, internal rules that enable its members to scrutinise it democratically*, and that all producers of the product designated by the geographical indication enjoy *the* right of membership *of* the group.

Member States may *lay down rules to ensure that only one producer group, representing a majority of producers, can operate for each geographical indication and that membership of the producer group and the contribution to costs associated with the exercise of the producer group's powers and the fulfilment of its responsibilities is compulsory for all producers.*

Without prejudice to Article 32(2), national authorities may, in accordance with national law, define the tasks, powers and responsibilities granted to a producer group.

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

- (a) develop the product specification and manage *activities relating to verifying and ensuring* compliance of production steps of the product designated by the geographical indication with the said specification;
- (b) take legal action, *including action before civil and criminal courts*, to ensure protection *offline and online* of the geographical indication and of the intellectual property rights that are directly connected with it, *including websites, domain names and electronic commerce, and claim damage*;
- (c) agree sustainability undertakings, *including undertakings which complement and contribute to producers' agro-ecological strategies to combat climate change*, whether included in the product specification *or elsewhere*, assuring adequate publicity for them notably in an information system provided by the Commission;
- (d) take action to improve the performance of the geographical indication, *in terms of economic, social and environmental sustainability*, including:
- (i) *establishing the minimum conditions for the usage of the name of a geographical indication*;
 - (ia) development, organisation and conduct of collective marketing and advertising campaigns;
 - (ii) dissemination of information and promotion activities aiming at communicating the attributes of the product designated by a geographical indication to consumers, *including the development of tourism services relating to sustainable and responsible rural tourism in the geographical area referred to in the product specification*;
 - (iii) carrying out analyses into the economic, *social or environmental* performance, of production, nutritional profile, and organoleptic profile, of the product designated by the geographical indication;
 - (iv) dissemination of information on the geographical indication and the relevant Union symbol; and
 - (v) providing advice and training to current and future producers, including on gender mainstreaming and equality.
- (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;

(ea) 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 lowering prices;

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

(ec) establish the minimum conditions for the fair usage of the name of a geographical indication as an ingredient in a processed product, referred to in Article 28(2), and determine the rules for:

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

~~(ii) requesting a financial contribution from the processor for such use.~~

2a. By way of derogation from paragraph 2 of this Article, Member States may limit some or all of the powers and responsibilities referred to in that paragraph exclusively to the recognised producer groups referred to in Article 33.

CA L (art. 33)

Covers AMs 13, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78 (Rapporteur), 565 (Re), 566 (S&D), 567 (EPP), 568 (Greens), 569 (EPP), 570 (ECR), 571 (ECR), 572 (S&D), 573 (EPP), 574 (EPP), 575 (EPP), 576 (EPP), 577 (EPP), 578 (Greens), 579 (EPP), 580 (ECR), 581 (EPP), 582 (The Left), 583 (EPP), 584 (S&D), 585 (Re), 586 (S&D), 728 (ECR), 729 (ECR), INTA 29, INTA 42, INTA 58, INTA 59, INTA 60, INTA 61, INTA 62, INTA 63, INTA 64, INTA 65

Article 33

Recognised producer groups

1. Upon a request of *a* producer groups fulfilling the conditions of paragraph 2, 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, *which are* registered or *are* subject to an application for registration or for product names that are a potential subject for application for registration.)

1a. 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.

2. A producer group may be designated as recognised producer group subject to a prior agreement concluded between at least **50 % plus one** of the producers of the product bearing a geographical indication, accounting for *a minimum volume or value* of the *marketable* production, *to be laid down by the Member State concerned*, of that product in the geographical area referred to in the product specification. As an exception, *Member States may confer on* an authority, as referred to in Article 8(2), and *on* a single producer, as referred to in Article 8(3), *the powers and responsibilities referred to in paragraph 3 and in Article 32(2).*

2a. 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 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.

3. In addition to the powers and responsibilities referred to in Article 32(2), a recognised producer group may exercise *erga omnes* the following powers and responsibilities:

(a) to liaise with intellectual property enforcement and anti-counterfeit bodies and participate in intellectual property enforcement networks as the geographical indication right holder;

(b) to take enforcement actions, including filing applications for actions with custom authorities, 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 lowering prices*;

(ba) to carry out supervisory activities and prevent fraud;

(c) to recommend to the national authorities binding rules to be adopted in accordance with Article 166a of Regulation (EU) No 1308/2013 for the regulation of the supply of products designated by a geographical indication;

(ca) to agree with downstream operators on value-sharing clauses within the meaning of Article 172a of Regulation (EU) No 1308/2013, including in relation to market bonuses and losses, and determining how any evolution of market prices for the products concerned or other relevant commodities is to be allocated between them;

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

(d) with a view to protecting the geographical indication in the internet domain name systems outside the jurisdiction of the Union, to register an individual, collective or certification trade mark depending on the trade mark system concerned, containing, as one of its prominent elements, a geographical indication and restricted to product conforming to the corresponding product specification.

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 group is compulsory for all producers of the product designated by that geographical indication, operating in the geographical area referred to in the product specification. The contribution shall be proportional to the volume or value of the marketable production of the product bearing that geographical indication.

5. Member States *or, in accordance with an international agreement to which the Union is a contracting party, third countries* shall carry out checks *and take the necessary measures* in order to ensure that the conditions *for the recognition and the operation 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.

5a. 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 of a producer group taken during the previous calendar year. The Commission shall publish and regularly update the list of recognised producer groups.

Article 33a

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;

(e) taking part in promotion measures as defined by Regulation (EU) 1144/2014.

COMPROMISE AO

Covers AMs 666 (ID), INTA 85

Article 33b (new)

Assistance in relation to international agreements

1. The EUIPO shall support producer groups in relation to international agreements to which the Union is a contracting party, in particular by:

(a) providing information in order to help them to protect their rights and to comply with different regulatory frameworks in foreign markets; and

(b) providing legal advice in the context of negotiations on international agreements as regards the protection of geographical indications.

2. The costs of assistance in relation to international agreements may be borne by the EUIPO. The Member States may also contribute to those costs.

COMPROMISE AF - shared competences with JURI

Covers AMs: 81, 82 (Rapporteur) 587 (ID), 588 (Re), 589 (S&D), 590 (S&D), 591 (Re), 592 (Greens), 593 (Re), 594 (Greens), INTA 66-68, JURI 78, 79, 80

Article 34

Protection of geographical indication rights in domain names

1. *Top-level and other* domain name registries *operating* in the Union *shall, ex officio or* upon the request of a natural or legal person *being the rights-holder of a geographical indication or* having a legitimate interest or rights *in a geographical indication*, revoke or transfer a domain name registered under such domain to the recognised producer group of the products with the geographical indication concerned, *or to the competent authority of the Member State where the geographical indication originates*, 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.

2. *Top-level and other* 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.

2a. 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].

3. The Commission shall be empowered to adopt delegated acts in accordance with Article 84 supplementing this Regulation by provisions *on the establishment and management by EUIPO of* a domain name information and alert system that would provide the applicant *or the Member State where the geographical indication originates*, 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 shall be empowered, under the delegated acts referred to in the first subparagraph, to establish and manage an alert system monitoring registration of domain names in the Union which could conflict with the names included in the Union register of geographical indications. Those delegated acts shall also include the obligation for registries of domain names and EURid, operating in the Union, to provide EUIPO with the relevant information and data, and to that end, to establish a collaboration with EUIPO.

COMPROMISE AM

Covers: AMs 85, 86, 87, 88, 89, 90, 91 (Rapporteur), 600 (EPP), 601 (ECR), 602 (ECR), 603 (EPP), 604 (ID), 605 (EPP), 606 (S&D), 607 (ECR), 608 (S&D), 609 (ECR), 610 (S&D), 611 (S&D), 612 (S&D), 613 (ECR), 614 (S&D), 615 (ECR), 616 (EPP), 617 (EPP), 618 (S&D), 619 (ID), 620 (ECR), 621 (S&D), 622(S&D, INTA 69, 70, 71

Article 37

Union symbols, indications and abbreviations

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

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

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* shall appear in the same field of vision as the Union symbol.

The country of origin of a primary ingredient, within the meaning of Article 2(2), point (q), of Regulation (EU) No 1169/2011, which is not the same as the country of origin of the geographical indication shall be marked:

- (a) *with reference to one of the following geographical areas:*
 - (i) *‘EU’, ‘non-EU’ or ‘EU and non-EU’;*
 - (ii) *region, or any other geographical area either within two or more Member States or within third countries, if defined as such under public international law;*
 - (iii) *FAO Fishing area, or sea or freshwater body if defined as such under international law or well understood by normally informed average consumers; or*
 - (iv) *Member State(s) or third country(ies);*

- (v) *region, or any other geographical area within a Member State or within a third country, which is well understood by normally informed average consumers;*
 - (vi) *the country of origin or place of provenance in accordance with specific Union provisions applicable to the primary ingredient(s); or*
- (b) *by means of:*
- (i) *the statement ‘(name of the primary ingredient) do/does not originate from (the country of origin of the geographical indication)’; or*
 - (ii) *any wording similar to the statement set out in point (i) which is likely to have the same meaning for the consumer.*

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.

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.

4. The Union symbol for protected geographical indications established pursuant to paragraph (1) may be used in the description, presentation and labelling of spirit drinks the names of which are geographical indications.

5. Where agricultural products or spirit drinks are designated by a geographical indication 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 the labelling of spirit drinks, respectively.

The abbreviations ‘PDO’ or ‘PGI’, corresponding to the indications ‘protected designation of origin’ or ‘protected geographical indication’, may appear on the labelling of agricultural products designated by a geographical indication.

~~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.

~~7. After the submission of a Union application for the registration of a geographical indication, producers may indicate on the labelling and in the presentation of the product that an application for registration has been filed in compliance with Union law.~~

8. Union symbols indicating the protected designation of origin or protected geographical indication and the Union indications ‘protected designation of origin’, ‘protected geographical indication’ and ‘geographical indication’ and the abbreviations ‘PDO’ or ‘PGI’ as relevant, may appear on the labelling only after the publication of the act of registration of that geographical indication.

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

10. 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, ***provided that such references do not reproduce, even partially, names, or textual, graphic or symbolic elements of other geographical indications protected pursuant to Article 27.***

11. Union symbols associated with geographical indications entered in the Union register of geographical indications designating products originating in third countries, may appear on the product labelling and advertising material, in which case the symbols shall be used in conformity with paragraph (2) and (4).

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).

COMPROMISE AG- shared competences with JURI

Covers AMs: 94, 95 (Rapporteur) 627 (S&D), 628 (EPP), 629 (S&D), 630 (EPP), 631 (EPP), 632 EPP, 633 (EPP), 634 (EPP), 635 EPP, 636 S&D, 637 EPP, 638 (S&D), 639 (Re), JURI 86, 87, 88, 89, INTA 73

Article 39

Verification of compliance with the product specification

1. Member States shall draw up and ***make public the*** list of producers of products designated by a geographical indication entered in the Union register of geographical indications originating in their territory ***and keep that information up to date.***
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.
3. In addition to internal controls ***and any other 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:
 - (a) one or more competent authorities within the meaning of Article 3, point (3), of Regulation (EU) 2017/625; or
 - (b) one or more product certification bodies to which responsibilities have been delegated as referred to in Regulation (EU) 2017/625, Title II, Chapter III.
4. In respect of geographical indications that designate products originating in a third country, verification of compliance with the product specification, before placing the product on the market, shall be carried out by:
 - (a) a public competent authority designated by the third country; or

(b) one or more product certification bodies.

5. Where, in accordance with the product specification, a production step is carried out by one or more producers in a country other than the country of the origin of the geographical indication, provisions for verification of compliance of those producers shall be set out in the product specification. If the relevant production step takes place in the Union, the producers shall be notified to the competent authorities of the Member State where the production step takes place and be subject to verification as a producer of the product designated by the geographical indication.

6. Where a Member State applies Article 8(2), the verification of compliance with the product specification shall be ensured by an authority other than that deemed to be a producer group under that paragraph.

7. The costs of verification of compliance with the product specification may be borne by the operators which are subject to those controls. The Member States *shall* contribute to those costs.

COMPROMISE AH - shared competences with JURI

Covers AMs: 96, 97, 100 (Rapporteur), 651 S&D, 652 (S&D), 653 (EPP), 654 (ID), 655 (EPP), 656 (ID), JURI 90, 91, 92, INTA 74, INTA 75

Article 42

Controls and enforcement of geographical indications in the marketplace

1. Member States shall designate one or more enforcement authorities, which may be the same as the competent authorities referred to in Article 39(3), responsible for controls in the marketplace and enforcement of geographical indications after the product designated by a geographical indication has completed all production steps, whether it is in storage, transit, distribution, or offered for sale at wholesale or retail level, including in electronic commerce.

2. The enforcement authority shall *on a regular basis* carry out controls of products designated by geographical indications, *also based on a risk analysis and on notifications*, to ensure *traceability and* conformity with the product specification or the single document or, for geographical indications concerning products originating outside the Union, an equivalent to *single document*.

3. Member States shall take appropriate administrative and judicial steps to prevent or stop the use of names of products or services, *including domain names*, that are produced, operated or marketed *physically or via the internet* in their territory and that contravenes the protection of geographical indications provided for in Article 27 and Article 28.

3a. 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.

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.

CA M (art. 45)

Covers: AMs 103 (Rapporteur), 657 (S&D), 658 (Re), 659 (RE), 660 (EPP)

Article 45

Certificates of *compliance with product specifications*

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 *compliance including by digital means*, of eligibility to produce the product designated by the geographical indication concerned, *such as the inscription on the list of producers provided for in Article 39(1)*, in respect of the production steps performed by the said producer.

2. The proof of *compliance* referred to in paragraph 1 shall be made available on request to enforcement authorities, customs or other authorities in the Union engaged in verifying the use of geographical indications on goods declared for free circulation or placed on the internal market. The producer may make the proof of *compliance* available to the public or to any person who requests such proof in the course of business.

COMPROMISE AI - shared competences with JURI

Covers AMs: 104 (Rapporteur), 661 (EPP), 662 (S&D), 663 (Greens), 664 (ID), 665 (ECR), JURI 93, JURI 94, JURI 95, INTA 76, INTA 77, INTA 78

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.~~

COMPROMISE AJ - former CA N (art. 47)- shared competences with JURI

Covers AMs: AGRI 105, 106 (Rapporteur), 667 (ECR), 668 (ECR), 669 (ECR), 670 (ID), 671 (S&D), 672 (S&D), 673 (Re), 674 (S&D), 675 (Greens), 676 (S&D), 677 (S&D), 678 (Re), 679 (S&D), 680 (S&D), 681 (RE), 682 (S&D), 683 (S&D), 685 (ID), JURI 96, 97, 99, INTA 79, 80

Article 47

Monitoring and reporting

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 *assisting with the* execution of such tasks. Such criteria *shall* include, *at least*:

- ~~(a) the extent of integration of agricultural factors in the scrutiny process;~~
- ~~(b)~~ (a) quality of *technical support*;
- ~~(c) coherence of assessments of geographical indications from different sources;~~
- ~~(d)~~ (ab) efficiency of tasks; and
- ~~(e)~~ (bc) user satisfaction.

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.

CA O (art. 48)

Covers AMs 107 (Rapporteur), 686 (RE), 687 (EPP), 688 (EPP), 689 (Greens), 690 (EPP), 691 (EPP), 692 (S&D), 693 (EPP), 694 (EPP), 695 (S&D), 701 (S&D).

Article 48

Designations of origin and geographical indications

1. A ‘designation of origin’ of an agricultural product is a name which identifies a product:
 - (a) originating in a specific place, region or, in exceptional cases, a country;
 - (b) whose quality or characteristics are essentially or exclusively due to a particular geographical environment with its inherent natural and human factors; and
 - (c) the production steps of which all take place in the defined geographical area.

2. A ‘geographical indication’ of an agricultural product is a name which identifies a product:
 - (a) originating in a specific place, region or country;
 - (b) whose given quality, reputation or other characteristic is essentially attributable to its geographical origin; and
 - (c) at least one of the production steps of which takes place in the defined geographical area.

3. ***Without prejudice to the rules referred to in Article 5(2), agricultural products that, are contrary to public policy and that may not be placed on the internal market, shall be excluded from being the subject of a protected designation of origin or a protected geographical indication.***

4. Notwithstanding paragraph 1, certain names shall be registered as designations of origin even though the raw materials for the products concerned come from a geographical area larger than, or different from, the defined geographical area, provided that:
 - (a) the production area of the raw materials is defined;
 - (b) special conditions for the production of the raw materials exist;
 - (c) there are control arrangements to ensure that the conditions referred to in point (b) are adhered to; and

(d) the designations of origin in question were recognised as designations of origin in the country of origin before 1 May 2004.

Only live animals, meat and milk may be considered as raw materials for the purposes of this paragraph.

5. For the purposes of paragraph **1, point (b) and paragraph 2, point (b)**, “*characteristics*” and ‘other characteristic’ may include farming practices that protect environmental value including biodiversity, habitats, nationally recognised environmental zones and landscape.

~~6. The Commission shall be empowered to adopt delegated acts in accordance with Article 84 concerning restrictions and derogations with regard to the sourcing of feed in the case of a designation of origin.~~

7. The Commission shall be empowered to adopt delegated acts in accordance with Article 84 concerning restrictions and derogations *supplementing this Regulation with provisions regarding* the slaughtering of live animals or with regard to the sourcing of raw materials. These restrictions and derogations shall, based on objective criteria, take into account quality or usage and recognised know-how or natural *constraints affecting agricultural production in certain areas*.

CA P (art. 50)

Covers: 108 R, 697 Greens, 698 ECR, 699 EPP, 700 S&D

Article 50

Specific rules on sourcing of feed and of raw materials

1. For the purposes of Article 48, feed shall be sourced entirely from within the defined geographical area in respect of products of animal origin the name of which is registered as a designation of origin.

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.

3. Any ***additional specific provision on*** the origin of raw materials provided in the product specification of a product the name of which is registered as a geographical indication shall be justified with respect to the link referred to in Article 51(1), point (f).

3b. The Commission shall be empowered to adopt delegated acts in accordance with Article 84 supplementing this Regulation with provisions concerning derogations with regard to the sourcing of feed in the case of a designation of origin.

CA U - B (art. 50, paragraphs 2a and 2b new)

Article 50, paragraphs 2a and 2b new

Specific rules on sourcing of feed and of raw materials

2a. In duly justified cases, Member States may grant derogations from the percentages referred to in paragraphs 1 and 2 due to exceptional circumstances including adverse geopolitical, economic, geographic and climatic conditions, for a limited period of time until the possibility of sourcing from within the defined geographical area can be re-established.

2b. Where a Member State grants such a derogation in accordance with the first subparagraph, it shall ensure that a dossier giving the reasons for the derogation is officially sent to the Commission and is made publicly available, subject to Union and national law on data protection.

CA Q (art. 51)

Covers: AMs 702 (Re), 703 (RE), 704 (Greens), 705 (Greens), INTA 81

Article 51

Product specification

1. Products the names of which are registered as a designation of origin or a geographical indication shall comply with a product specification which shall include at least:

(a) the name to be protected as a designation of origin or geographical indication, which may be either a geographical name of the place of production of a specific product, or a name used in trade or in common language to describe the specific product in the defined geographical area;

(b) a description of the product, including where relevant, the raw materials, plant varieties and animal breeds concerned, including the commercial designation of the species and its scientific name, as well as the principal physical, chemical, microbiological or organoleptic characteristics of the product;

(c) the definition of the delimited geographical area creating the link referred to in point (f)(i) or (ii), and, where appropriate, details indicating compliance with the requirements of Article 48(4) ;

(d) evidence that the product originates in the defined geographical area specified in accordance with Article 48(1), point (c), or Article 48(2), point (c);

(e) a description of the method of obtaining the product and, where appropriate, the *authentic and unvarying local* methods and specific practices used; as well as information concerning packaging, if the applicant group so determines and gives sufficient product-specific justification as to why the packaging must take place in the defined geographical area to safeguard quality, to ensure the origin or to ensure control, taking into account Union law, in particular that on the free movement of goods and the free provision of services;

(f) details establishing the following:

(i) as regards a designation of origin, the link between the quality or characteristics of the product and the geographical environment referred to in Article 48(1), point (b). The details concerning human factors of that geographical environment may, where relevant, be limited to a description of the soil and landscape management, cultivation practices or any other relevant human contribution to the maintenance of the natural factors of the geographical environment referred to in that provision;

(ii) as regards a geographical indication, the link between a given quality, the reputation or other characteristic of the product and the geographical origin referred to in Article 48(2), point (b);

(g) any specific labelling rule for the product in question;

(h) other applicable requirements where provided for by Member States or by a producer group, if applicable, having regard to the fact that such requirements must be objective, non-discriminatory and compatible with national and Union law.

2. The product specification may also include sustainability undertakings, *relating to environmental, economic, social dimensions of sustainability, and undertakings relating to animal health and welfare*.

3. The Commission shall be empowered to adopt delegated acts in accordance with Article 84 *supplementing this Regulation with provisions* concerning rules which limit the information contained in the product specification referred to in paragraph 1 of this Article, where such a limitation is necessary to avoid excessively voluminous applications for registration.

4. The Commission may adopt implementing acts laying down rules on the form of the product specification. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2).

COMPROMISE AN

Covers: AMs 706 (The Left), 707, 708 (S&D)

Title III

Other quality schemes

Chapter 1

Traditional specialities guaranteed

Article 54

Objective and scope

1. A scheme for traditional specialities guaranteed is established to safeguard traditional methods of production and recipes by helping producers of traditional product in marketing and communicating the value-adding attributes of their traditional recipes and products to consumers.

2. This Chapter applies to agricultural products.

For the purposes of this Chapter, ‘agricultural products’ means agricultural products intended for human consumption listed in Annex I to the Treaty on the Functioning of the European Union and other agricultural products *not* listed *in that Annex but processed using products listed in that Annex, set out* in Annex II to this Regulation.

This Chapter shall not apply to spirit drinks, aromatised wines or grapevine products as defined in Part II of Annex VII to Regulation (EU) No 1308/2013, with the exception of wine-vinegars.

3. The registration and the protection of traditional specialities guaranteed are without prejudice to the obligation of producers to comply with other Union rules, in particular relating to the placing of products on the market, to the single common organisation of the markets, and to food labelling.

CA R (art. 60)

Covers AMs 110 (Rapporteur), 717 (EPP), 718 (S&D), 719 (S&D).

Article 60

Scrutiny by the Commission and publication for opposition

1. The Commission shall scrutinise any application that it receives pursuant to Article 65(1) in order to check that it contains no manifest errors, that the information provided in accordance with Article 58 is complete, that the product specification is precise and technical in nature and that the requirements laid down in Article 55 and Article 56 are fulfilled. Such a scrutiny shall take into account the outcome of the national stage of the procedure carried out by the Member State concerned.

2. *Subject to paragraph 3, the scrutiny period shall not exceed five months from the submission of the application for registration.*

That scrutiny period shall not include the period which starts on the date on which the Commission sends its observations or a request for supplementary information to the Member State, and ends on

the date on which the Member State responds to the Commission in relation to such observations or to such a request.

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 in writing of the reasons for the delay and of the date on which the scrutiny period is expected to end.

3. *Within three months following the submission of the application for registration*, the Commission may seek supplementary information from *the competent authority or from* the applicant.

4. Where, based on the scrutiny carried out pursuant to paragraph 1, the Commission considers that the conditions laid down in this Chapter are fulfilled, it shall publish the product specification in the Official Journal of the European Union.

CA S (art. 61)

Covers AMs 111 (Rapporteur), 720 (EPP), 721 (EPP).

Article 61

National challenge to an application for registration

1. Member States shall keep the Commission informed of any national administrative or judicial proceedings that may affect the registration of a traditional speciality guaranteed. In such a case, Member States may *submit a reasoned request to* the Commission to suspend the examination procedure for a period of 12 months which can be renewed.

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).

3. If the application to the Commission has been invalidated by a final decision taken by a national court, the Member State shall consider appropriate action such as withdrawal or modification of the application, as necessary.

CA wine package (art 81)

COVERS: 736/737 (Greens/RE), 743/748 (S&D/EPP/RE/Greens), 749 (S&D), 750 (S&D), 751(S&D), 752 (EPP), 753 (S&D), 754 (Greens), 755 (RE), 756 (EPP), 757(EPP), 758/762 (EPP/ RE/ Greens,/S&D), 763 (EPP), 764 (RE), 765/766 (RE/EPP), 767 (EPP), 768 (RE), 769 (EPP), 770/771 (EPP/RE), 772/773 (EPP/RE), 774/775 (RE/EPP), 776/777 (EPP/RE), 778/779 (RE/EPP), 117 (Rapporteur), 246 (S&D)

Sustainability undertakings

Cover AMs: 751 (S&D), 752, 756, 757 (EPP), 754 (Greens), 755 (Renew)

For coherence, Article 94(2) should be modified as follows:

Article 81 – paragraph 1 – point 2

Regulation (EU) No 1308/2013

Article 94 - paragraph 2

(Text proposed by the Commission - modified)

2. The product specification may contain sustainability undertakings *within the meaning of Article 94a*.

Article 81 – paragraph 1 – point 2a (new)

Regulation (EU) No 1308/2013

Articles 94 a and 94 b (new)

(2a) The following Articles 94a and 94b are inserted:

Article 94a
Sustainability undertakings

1. For the purpose of this Article, a ‘sustainability undertaking’ refers to an undertaking which contributes to one or more social, environmental or economic objectives, including:

- (a) climate change mitigation and adaptation, including energy efficiency and decrease water consumption;**
- (b) preservation and sustainable use of soil, landscapes and natural resources;**
- (c) improving soil fertility;**
- (d) preservation of biodiversity and plant varieties;**
- (e) transition to a circular economy;**
- (f) reduction of the use of pesticides;**
- (g) reduction of greenhouse gas (GHG) emissions;**
- (h) securing viable income and improving resilience for producers of products benefiting from a protected designation of origin or a protected geographical indication;**
- (i) improving the quality and the economic value of products benefiting from a protected designation of origin or a protected geographical indication, and redistributing added value across the supply chain;**
- (j) contributing to the diversification of activities promoting the rural economy;**
- (k) promoting local agricultural production, and preserving the rural fabric and local development, including agricultural employment;**
- (l) attracting and sustaining young producers of products benefiting from a protected designation of origin or a protected geographical indication and new producers of products benefiting from a protected designation of origin or a protected geographical indication, and facilitating the inter-generational transmission of know-how and culture;**
- (m) improving working and safety conditions in agricultural and processing activities;**
- (n) contributing to the valorisation of rural areas as well as cultural and gastronomic heritage to promote education on themes concerning the quality system, food safety and balanced and diversified diets;**
- (o) improving coordination between producers through improved efficiency of the governance instruments.**

2. A producer group may agree on sustainability undertakings to be adhered to in the production of the product designated by a protected designation of origin or a protected geographical indication. Such undertakings shall aim to apply a sustainability standard that goes beyond that required by Union or national law and goes 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 protected designation of origin or a protected geographical indications, may complement and contribute to producers' broader agro-ecological strategies to combat climate change and may refer to existing sustainability schemes.

3. The sustainability undertakings agreed in accordance with paragraph 2 shall be included in the product specification or shall be developed under separate initiatives.

4. The sustainability undertakings referred to in paragraph 1 shall be without prejudice to requirements for compliance with hygiene, safety standards and competition rules.

Article 94b

Sustainability report

1. Producer groups may prepare a sustainability report based on internal audit activities, comprising a description of existing sustainable practices implemented in the production of the product, of the impacts of the method of obtaining the product on sustainability, in terms of social, environmental, or economic commitments, and information necessary to understand how sustainability affects the development, performance and position of the product.

The sustainability report may be updated to take account in particular of progress compared with the outcome of previous internal audit activities.

2. The Commission may adopt implementing acts setting out a harmonised format and the online presentation of the report provided for in paragraph 1 of this Article, contributing to the aim of sharing and replicating sustainable practices, including through advisory services and the development of a network for the exchange of such practices. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2).

Article 81 – paragraph 1 – point 3

(3) *Articles 95 to 99 are deleted;*

Protection, Homonyms, Relationship with trade marks

Covers AMs 758, 762, 763, 766, 767, 769, 770, 772, 775, 776, 779 (EPP), 761 (S&D), 759, 764, 765, 768, 771, 773, 774, 777, 778 (RE), 760 Greens

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

Regulation (EU) No 1308/2013

Article 100

(3a) Article 100 is replaced by the following:

Article 100

Homonyms

1. *A **protected designation of origin or a protected geographical indication that has been applied for after a name for which an application is submitted and which is wholly or partially homonymous protected designation of origin or a protected geographical indication had been applied for or protected in the Union**, with a name already registered under this Regulation shall **not** be registered unless there is sufficient distinction in practice between the conditions of with due regard to local and traditional usage and and any risk of confusion the presentation of the two homonymous indications, taking into account the need to ensure equitable treatment of the producers concerned and that consumers are not misled as to the true identity or geographical origin of the products.*

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 is accurate as far as the actual territory, region or place of origin of those products is concerned.

A registered homonymous name may be used only if there is a sufficient distinction in practice between the homonym registered subsequently and the name already in the register, having regard to the need to treat the producers concerned in an equitable manner and the need to avoid misleading the consumer.

1a. For the purposes of this Article, a homonymous protected designation of origin or a protected geographical indication applied for or protected in the Union refers to:

- (a) protected designations of origin or protected geographical indications that are entered in the Union register of geographical indications;*
- (b) protected designations of origin or protected geographical indications that have been applied for provided that they are subsequently entered in the Union register of geographical indications;*
- (c) appellations of origin and geographical indications protected in the Union pursuant to Regulation (EU) 2019/1753 of the European Parliament and of the Council; and*
- (d) protected designation of origin or a protected geographical indications, names of origin and equivalent terms protected pursuant to an international agreement between the Union and one or more third countries.*

2. Paragraph 1 of this Article shall apply mutatis mutandis if a name for which an application is submitted is wholly or partially homonymous with a geographical indication protected under the national law of Member States.

3. The Commission shall cancel the protected designation of origin or protected geographical indication registered in breach of paragraph 1.

4. Where the name of a wine grape variety contains or consists of a protected designation of origin or a protected geographical indication, that name shall not be used for the purposes of labelling agricultural products.

5. In order to take into account existing labelling practices, the Commission shall be empowered to adopt delegated acts in accordance with Article 227 of this Regulation laying down exceptions from that rule.

6. The protection of designations of origin and geographical indications of products covered by Article 93 of this Regulation shall be without prejudice to protected geographical indications applying to spirit drinks as defined in Article 2 of Regulation (EC) No 110/2008 of the European Parliament and of the Council.

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

Regulation (EU) No 1308/2013 - Articles 102 and 103

(3b) Articles 102 and 103 are replaced by the following:

Article 102

Relationship with trade marks

1. **An application for the** registration of a trade mark the use of which would contravene Article 103, 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 **protected designation of origin or the protected** geographical indication.

~~2. An application for the registration of a protected designation of origin or a protected geographical indication shall be rejected where, in the light of a well known trade mark or the reputation of the trade mark, the name proposed as a protected designation of origin or a protected geographical indication is liable to mislead the consumer as to the true identity of the product.~~ 2. 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.

3. Trade marks registered in breach of paragraph (1) shall be invalidated **by EUIPO and, when applicable, the competent national authorities.**

4. **Without prejudice to paragraph 3 of this Article,** a trade mark the use of which contravenes Article 103, which has been applied for, registered, or established by use in good faith within the territory of the Union, if that possibility is provided for by the legislation concerned, before the date on which the application for registration of the **protected designation of origin or protected** geographical indication is submitted to the Commission, may continue to be used and renewed notwithstanding the registration of a **protected designation of origin or a protected** geographical indication, provided that no grounds for invalidity or revocation of the trade mark exist under Directive (EU) 2015/2436 of the European Parliament and of the Council or Regulation (EU) 2017/1001. In such cases, the use of the **protected designation of origin or protected** geographical indication and that of the relevant trade mark shall be permitted.

5. For **protected designations of origin or protected** geographical indications registered in the Union without the submission of a Union application for registration, the date of the first day of protection shall be deemed to be the date of submission to the Commission of the application for registration of the **protected designation of origin or protected** geographical indication for the purposes of paragraphs 1 and 4.

6. Without prejudice to Regulation (EU) No 1169/2011, guarantee or certification marks referred to in Article 28(4) of Directive (EU) 2015/2436 and collective marks referred to in Article 29(3) of that Directive may be used on labels, together with the **protected designation of origin or protected** geographical indication.

Article 103

Protection

1. *Designations of origin or* geographical indications entered in the Union register of *protected designations of origin or protected* geographical indications shall be protected against:

(a) any direct or indirect commercial use of the *protected designation of origin or protected* 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*;

(b) any misuse, *counterfeiting*, 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*.

(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;

(d) any other practice liable to mislead the consumer as to the true origin of the product.

2. Paragraph 1 shall also apply to a domain name containing or consisting of the registered *protected designation of origin or protected* geographical indication.

3. The protection referred to in paragraph 1 also applies to:

(a) goods entering the customs territory of the Union without being released for free circulation within that territory; ~~and~~

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

(b) goods sold by means of distance selling, such as electronic commerce.

4. Where the protected designation of origin or a protected geographical indication contains one or more non-generic terms, the use of one, some or all of them in the same or in a different order from the one registered shall constitute one of the types of conduct referred to in paragraph 1, points (a) and (b).

5. The recognised group of producers 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.

6. *Designation of origin or* geographical indications protected under this Regulation shall not become generic in the Union.

7. Where a *designation of origin or* geographical indication is a compound name which contains a term which is considered to be generic, the use of that term shall not constitute, *as a general rule*, a conduct referred to in paragraph 1, points (a) and (b).

7a. 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.

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.

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

(3c) Articles ~~95 to 99~~ **104 to** 106 and Article 107 are deleted.

Union symbols, indications and abbreviations

Covers AM 117 (Rapporteur)

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

Regulation (EU) No 1308/2013

Article 120, paragraph 1

(3d) in Article 120, paragraph 1, the following point is added:

(h) the abbreviations ‘PDO’ or ‘PGI’, corresponding to the indications ‘protected designation of origin’ or ‘protected geographical indication’.

CA T (art. 84)

Covers AMs 122 (Rapporteur), 799 (EPP), 800 (S&D), 801 (Greens), 802 (S&D).

Article 84

Delegation of powers

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Article 14(2), Article 19(10), Article 23(7), Article 34(3), Article 47(1), Article 48(7), Article 49(4), **Article 50 (3b)**, 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 **three**-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 **three** months before the end of each period.
3. The delegation of power related to in the Articles referred to in paragraph 2 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.
5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
6. A delegated act adopted pursuant to the Articles referred to in paragraph 2 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of 2 months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they

will not object. That period shall be extended by 2 months at the initiative of the European Parliament or of the Council.

RECITALS

CA R5 (recital 5)

Covers AMs 132 S&D, 133 The Left, 134 EPP, JURI 3

Recital 5

Citizens and consumers in the Union increasingly demand quality, traditional *and accessible* products, *which have specific qualities attributable both to their origin and to their manner of production*. They are also concerned to maintain the diversity *and security of supply* of agricultural production in the Union. This generates a demand for wine, spirit drinks and agricultural products with identifiable specific characteristics, in particular those linked to their geographical origin *as well as ensuring the production conditions that have shaped the reputation and identity of such products*.

CA R9 (recital 9)

Covers: AMs 129 The Left, 131 S&D, 138 Greens, 139 Renew, INTA 2

Recital 9

Ensuring uniform recognition and protection throughout the Union for the intellectual property rights related to names protected in the Union is a priority that can be effectively achieved only at Union level. Geographical indications protecting the names of wines, spirit drinks and agricultural products having characteristics, attributes or reputation linked to their place of production are an exclusive Union's competence. A *consistent* and exclusive system of geographical indications therefore needs to be provided. Geographical indications are a collective right held by all eligible producers in a designated area willing to adhere to a product

specification. Producers acting collectively have more powers than individual producers and take collective responsibilities to manage their geographical indications, including responding to societal demands for products resulting from sustainable production. ***Similarly, the collective organisation of the producers of a geographical indication can better ensure a fair distribution of the value added amongst the actors in the supply chain, to provide a fair income to producers, which covers their costs and allows them to invest further in the quality and sustainability of their products.*** Operating geographical indications reward producers fairly for their efforts to produce a diverse range of quality products. At the same time, this can benefit the rural economy, which is particularly the case in areas with natural or other specific constraints, such as mountain areas and the most remote regions, ***including outermost regions***, where the farming sector accounts for a significant part of the economy and production costs are high. In this way, quality schemes are able to contribute to and complement rural development policy as well as market and income support policies of the CAP. In particular, they may contribute to the developments in the farming sector and, especially, disadvantaged areas. ***The Commission Communication of 30 June 2021 entitled "A long-term vision for the EU's Rural Areas - Towards stronger, connected, resilient and prosperous rural areas by 2040" recognises the key role of geographical indications among the flagship initiatives promoting rural areas, in view of their contribution to the prosperity, economic diversification and development of rural areas and the strong association between a product and its territorial origin.*** A Union framework that protects geographical indications by providing for their inclusion in a register at Union level facilitates the development of the agricultural sector, since the resulting, more uniform approach ensures fair competition between the producers of products bearing such indications and enhances the credibility of the products in the consumers' eyes. The system of geographical indications aims at enabling consumers to make more informed purchasing choices and, through labelling and advertising, helping them to correctly identify their products on the market. Geographical indications, being a type of intellectual property right, help operators and companies valorise their intangible assets. To avoid creating unfair conditions of competition and to sustain the internal market, any producer, including a third country producer, should be able to use a registered name and market products designated as geographical indications throughout the Union and in electronic commerce, provided that the product concerned complies with the requirements of the relevant specification and that the producer is covered by a system of controls. In light of the experience gained from the implementation of Regulations (EU) No 1308/2013, (EU) 2019/787 and (EU)

No 1151/2012 of the European Parliament and of the Council²⁷ , there is a need to address certain legal issues, to clarify and simplify some rules and to streamline the procedures.

CA R11 (recital 11)

Covers AMs 140 Renew, 141 S&D, JURI 4, INTA 4

Recital 11

The Union has for some time been aiming at simplifying the regulatory framework of the Common Agricultural Policy. *The procedures for amending product specifications for products designated by a geographical indication have already been simplified and made more efficient for wine and agri-food products as part of the review of the Common Agricultural Policy.* In order to *further* simplify the lengthy registration and amendment procedures, harmonised procedural rules for geographical indications for spirit drinks and agricultural products should be laid down in a single legal instrument, while maintaining product specific provisions for spirit drinks in Regulation (EU) 2019/787 and for agricultural products in *this Regulation*. *This Regulation should be accompanied by a number of tools for providing small producers and small producer groups with appropriate support, such as tailor-made training courses about the changes being introduced, which should be organised by the national authorities and the Commission.* The procedures for the registration, amendments to the product specification and cancellation of the registration in respect of geographical indications originating in the Union, including opposition procedures, should be carried out by the Member States and the Commission. The Member States and the Commission should be responsible for distinct stages of each procedure. Member States should be responsible for the first stage of the procedure, which consists of receiving the application from the producer group, assessing it, including running a national opposition procedure, and, following the results of the assessment, submitting the application to the Commission. The Commission should be responsible for scrutinising the application in the second stage of the procedure, including running a worldwide opposition procedure, and taking a decision on granting the protection to the geographical indication or not. Geographical indications should be registered only at Union level. However, with effect from the date of application with the Commission for registration at Union level, Member States

should be able to grant transitional protection at national level without affecting the internal market or international trade. The protection afforded by this Regulation upon registration should be equally available to geographical indications of third countries that meet the corresponding criteria and that are protected in their country of origin. The Commission should carry out the corresponding procedures for geographical indications originating in third countries.

CA R12 (recital 12)

Covers AMs 143 EPP, 144 The Left, 145 Renew, 146 S&D, 157 EPP

Recital 12

To contribute to the transition to a sustainable food system and respond to societal demands for sustainable, environmentally and climate friendly, animal welfare ensuring, resource efficient, socially and ethically responsible production methods, producers of geographical indications *should* be encouraged to adhere to sustainability standards that are more stringent than the mandatory ones, *encompassing environmental, social and economic objectives*. Such specific requirements *should* be set out in the product specification *or in a separate initiative*. *To enable the uptake of these undertakings, producers should receive financial support by means of pre-established, specific and easily accessible funding and should be properly informed on this matter, including via information sessions and advisory systems on ways for producers to easily acquire the requisite knowledge of the properties of their own products which bring added value and which will then be passed on to consumers. The inclusion in the product specification of geographical indications of sustainability undertaking should relate to the three main types of sustainability – economic, social and environmental.*

CA R23 (recital 23)

Covers AMs 159 The Left, 160 EPP, 161 S&D, INTA 9

Recital 23

Producer groups, *including those defined by Member States' national law*, play an essential role *in the management of their geographical indications, including* the application process for the registration, as well as in the amendment of specifications and cancellation requests. They should be equipped with the means to better identify and market the specific characteristics of their products *as well as adequate resources exercise their powers and responsibilities*. The role of the producer group should hence be clarified. *Member States should be able to provide that the contribution to costs associated with the exercise of powers and responsibilities by the recognised producer group is compulsory for all producers of products designated by that geographical indication. Other interested parties, including specialist organisations, non-governmental organisations such as consumer groups, or public bodies could provide technical advice and help in the preparation of the application and the related procedure.*

CA R39 (recital 39)

Covers AMs 171 Renew, 172 ID, 173 EPP, 174 ID, 175 S&D, 176 EPP, 177-178 The Left, 179 EPP, INTA 15, JURI 13

Recital 39

The procedures for registration, amendment and cancellation of geographical indications, including the scrutiny and the opposition procedure, should be carried out in the most efficient way. *According to the Special Report drafted by the European Court of Auditors, since the signature of the Memorandum of Understanding in 2018 between the Commission and the EUIPO, there has been no improvement in the length of the procedures regarding, in particular, the analysis of applications for registration and amendments to products specifications of geographical indications. The Commission should* remain responsible for

registration, amendment and cancellation, due to a strong relation with the Common Agricultural Policy and to the expertise needed to ensure that specificities of wine, spirit drinks and agricultural products are adequately assessed.

CA R56 (recital 56)

Covers AMs 193-194 ID, 195 Renew, 196 Greens, 197 S&D, 198 The Left, 199 EPP, 200 EPP, INTA 16, JURI 15

Recital 56

In order to supplement or amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of *entrusting the EUIPO-with-the tasks related to the development of a Union alert system to fight against online counterfeiting of geographical indications*, informing applicants about the availability of their geographical indication as a domain name, *monitoring of the registration of domain names in the Union which would conflict with the names included in the Union register of geographical indications*; establishing appropriate criteria for monitoring performance of the EUIPO in the execution of the tasks entrusted to it; establishing the restrictions and derogations with regard to the sourcing of feed in the case of a designation of origin; establishing restrictions and derogations with regard to the slaughtering of live animals or with regard to the sourcing of raw materials; laying down rules for determining the use of the denomination of a plant variety or of an animal breed; laying down rules which limit the information contained in the product specification for geographical indications and traditional specialities guaranteed; laying down further details of the eligibility criteria for traditional specialities guaranteed; laying down additional rules to provide for appropriate certification and accreditation procedures to apply in respect of product certification bodies; laying down additional rules to further detail protection of traditional specialities guaranteed; laying down for traditional specialities guaranteed additional rules for determining the generic status of terms, conditions for use of plant variety and animal breed denominations, and relation to intellectual property rights; defining additional rules for joint applications concerning more than one national territory and complementing the rules of the application process for traditional specialities guaranteed;

complementing the rules for the opposition procedure for traditional specialities guaranteed to establish detailed procedures and deadlines; supplementing the rules regarding the amendment application process for traditional specialities guaranteed; supplementing the rules regarding the cancellation process for traditional specialities guaranteed; laying down detailed rules relating to the criteria for optional quality terms; reserving an additional optional quality term, laying down its conditions of use; laying down derogations to the use of the term ‘mountain product’ and establishing the methods of production, and other criteria relevant for the application of that optional quality term, in particular, laying down the conditions under which raw materials or feedstuffs are permitted to come from outside the mountain areas. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making³⁵. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States’ experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.