



**European Committee  
of the Regions**

**NAT-VII/025**

**152nd plenary session – 30 November and 1 December 2022**

## **OPINION**

### **Reform of the geographical indications system**

#### THE EUROPEAN COMMITTEE OF THE REGIONS

- supports the establishment of a single set of procedural rules for all sectors, with a view to ensuring consistency and making the geographical indications (GI) system clearer;
- supports the proposal to add the possibility of regional or local public bodies helping in the preparation of the application and the registration procedure for GIs in order to formalise regions' contributions to the preparation and preliminary stages of the registration process for GIs, and wishes the CoR to be involved in the evaluation system;
- considers that the European Union Intellectual Property Office (EUIPO), given its technical expertise on intellectual property rights (IPR) and its resources, could be involved in the functioning of the EU GI system by providing technical assistance to the European Commission in cases relating to intellectual property, and in a manner to be clearly defined in the legislative proposal;
- notes also that EUIPO has developed real expertise in the field of geographical indications and has very effective tools that could be very useful for monitoring and promoting geographical indications and combating fraud;
- approves of the inclusion of voluntary sustainability undertakings in GIs, the definition of which should be clarified in the Regulation;
- welcomes the European Commission's ambition to encourage GI producers to work together effectively within producer groups and to give such groups more powers, but believes that the proposal does not take into account the diversity of legal situations in the Member States;
- given the fact that small and medium-sized GIs account for 48% of the total number of GIs in the EU, but only 0.5% of the total value of sales under GIs, recommends adequate support to enable producers to deal with production costs and thus avoid them giving up on certification.

### Rapporteur

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Deputy mayor delegate of the new commune of Couëtron-au-Perche

### Reference documents

Proposal for a Regulation of the European Parliament and of the Council on European Union geographical indications for wine, spirit drinks and agricultural products, and quality schemes for agricultural products, amending Regulations (EU) No 1308/2013, (EU) 2017/1001 and (EU) 2019/787 and repealing Regulation (EU) No 1151/2012

[COM(2022) 134 final]

**Opinion of the European Committee of the Regions –  
Reform of the geographical indications system**

**I. RECOMMENDATIONS FOR AMENDMENTS**

COM(2022) 134 final

**AMENDMENT 1**

New recital after recital 3

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
	<i>In its communication of 30 June 2021 "A long-term Vision for the EU's Rural Areas - Towards stronger, connected, resilient and prosperous rural areas by 2040", the Commission identified geographical indications as one of the flagship initiatives promoting prosperous areas, because of their contribution to the economic diversification of rural areas.</i>

<i>Reason</i>
Thanks to their multiple external benefits, geographical indications contribute to sustainable rural growth.

**Amendment 2**

New recital after recital 3

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
	<i>The amendments introduced to the EU's geographical indications system by Regulation (EU) 2021/2117, as part of the reform of the common agricultural policy (CAP).</i>

<i>Reason</i>
To ensure coherence with the progress made by the CMO Regulation and Regulation (EU) No 1151/2012, as part of the recent CAP.

**AMENDMENT 3**

New recital after recital 11

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
	<i>The EU's quality policy is a public policy associated with the production of public goods, and its role in the transition towards a sustainable food system must be assessed from this perspective using a holistic,</i>

	<p><i>multidimensional approach that encompasses environmental, economic and socio-cultural sustainability. Geographical indications are tools that can contribute to: sustainable rural development; the diversification of the rural economy; protecting jobs and SMEs; preventing depopulation; preserving cultural and socio-economic diversity; protecting the rural landscape; the sustainable management and reproduction of natural resources; biodiversity conservation; animal welfare; and food security and traceability, thanks to the mechanisms included in the product specifications.</i></p>
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<b>Reason</b>
<p>It is important to recognise the contribution of GIs to environmental, economic and socio-cultural sustainability due to their intrinsic connection to the territory.</p>

#### Amendment 4

##### Recital 12

<b><i>Text proposed by the European Commission</i></b>	<b><i>CoR amendment</i></b>
<p>(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 <b><i>adhere to sustainability standards that are more stringent than the mandatory ones and go beyond good practice</i></b>. Such specific <b><i>requirements</i></b> could be set out in the product specification.</p>	<p>(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 <b><i>agree on sustainability undertakings, helping to achieve environmental, economic and socio-cultural sustainability objectives</i></b>. Such specific <b><i>undertakings</i></b> could be set out in the product specification.</p>

<b>Reason</b>
<p>There is no definition of "sustainability standards" that can be adhered to. It is therefore important to keep the same terminology used in Article 12, which refers to sustainability undertakings.</p>

## Amendment 5

New recital after recital 12

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
	<p><i>Sustainability undertakings should contribute to one or more of the following environmental, economic or socio-cultural objectives:</i></p> <p><i>1. Environmental objectives, including inter alia:</i></p> <ul style="list-style-type: none"><li><i>• climate change mitigation and adaptation, including energy efficiency and reduced water consumption;</i></li><li><i>• the conservation and sustainable use of soils, landscapes and natural resources;</i></li><li><i>• the preservation of biocultural diversity and the conservation of rare seeds, local breeds and plant varieties;</i></li><li><i>• the management and promotion of animal health and welfare;</i></li><li><i>• transition to a circular economy.</i></li></ul> <p><i>2. Economic objectives, including inter alia:</i></p> <ul style="list-style-type: none"><li><i>• securing viable incomes and the resilience of GI producers;</i></li><li><i>• improving the economic value of GI products and the redistribution of added value;</i></li><li><i>• contributing to the diversification of the rural economy;</i></li><li><i>• preserving rural areas and local development, including agricultural employment.</i></li></ul> <p><i>3. Socio-cultural objectives, including inter alia:</i></p> <ul style="list-style-type: none"><li><i>• attracting and supporting both young and new GI producers and facilitating the transmission of knowledge and culture across generations;</i></li><li><i>• contributing to the promotion of rural identity and cultural and gastronomic heritage;</i></li><li><i>• promoting education on issues related to the quality scheme, food security and balanced and diverse diets;</i></li></ul>

	<ul style="list-style-type: none"> <li>• <i>improving coordination between producers through better efficiency of governance instruments.</i></li> </ul>
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<b>Reason</b>
After recital 12, it would be important to include a definition of sustainability undertakings, pointing out that sustainability comprises three pillars – economic, social and environmental.

### Amendment 6

New recital after recital 12

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
	<i>In order to make local and regional food production systems more sustainable and to contribute to diverse and balanced sustainable diets, geographical indications should be included in the minimum mandatory criteria for sustainable food public procurement.</i>

<b>Reason</b>
As recommended by a study of the Committee of the Regions <sup>1</sup> , the inclusion of sustainable food, including PDO and PGI products, should be encouraged.

### Amendment 7

Recital 39

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
(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. This can be achieved by using the assistance for the scrutiny of the applications provided by the European Union Intellectual Property Office (EUIPO). While a partial outsourcing to EUIPO has been considered, the Commission would 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	(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. This can be achieved by using the assistance for the scrutiny of the applications provided by the European Union Intellectual Property Office (EUIPO), <i>with regard to its area of competence in intellectual property matters. The involvement of EUIPO must not lead to extra procedures or to such procedures taking longer.</i> While a partial outsourcing to EUIPO has been considered, the Commission would remain responsible for registration, amendment and cancellation, due to a strong relation with the

<sup>1</sup> European Committee of the Regions, Soldi, R. (2018), "Sustainable public procurement of food", <https://data.europa.eu/doi/10.2863/1187>.

drinks and agricultural products are adequately assessed.	Common Agricultural Policy and to the expertise needed to ensure that specificities of wine, spirit drinks and agricultural products are adequately assessed.
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<i>Reason</i>
GIs are more than intellectual property rights. Given their close link with rural development policy, GIs should not be managed as trademarks. Therefore, the proposal for a Regulation should specify that the EUIPO's technical support would only cover the scrutiny of matters falling within its area of competence, namely intellectual property.

### **Amendment 8**

New recital after recital 39

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
	<i>EUIPO will contribute to the functioning of the EU geographical indications system by offering its expertise on intellectual property as well as in the performance of tasks related to the protection of geographical indications, including on the internet.</i>

<i>Reason</i>
EUIPO's technical expertise on intellectual property rights and its resources could provide invaluable support in strengthening the protection of GIs. EUIPO could therefore supplement DG AGRI's competences in the area of agriculture and rural development by providing expertise on IPR.

### **Amendment 9**

New recital after recital 39

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
	<i>Clear deadlines and faster procedures for amending specifications by dividing amendments into Union amendments and standard amendments, will help to improve the effectiveness of the system.</i>

<i>Reason</i>
The simplification of procedures for amending specifications adopted in December 2021 will help to address administrative burdens. This is important because amendments to specifications have a major impact on the adoption of production process adjustments.

## Amendment 10

### Recital 56

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
<p>(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 <b><i>defining sustainability standards and laying down criteria for the recognition of existing sustainability standards</i></b>; clarifying or adding items to be supplied as part of accompanying information; entrusting the EUIPO with the tasks related to <b><i>scrutiny for opposition and the opposition procedure</i></b>, operation of the register, publication of standard amendments to a product specification, <b><i>consultation in the context of cancellation procedure</i></b>, establishment and management of an alert system informing applicants about the availability of their geographical indication as a domain name, 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; establishing appropriate criteria for monitoring performance of the EUIPO in the execution of the tasks entrusted to it; <b><i>laying down additional rules on the use of geographical indications to identify ingredients in processed products</i></b>; <b><i>laying down additional rules for determining the generic status of terms</i></b>; 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</p>	<p>(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 clarifying or adding items to be supplied as part of accompanying information; entrusting the EUIPO with the tasks related to operation of the register, publication of standard amendments to a product specification, establishment and management of an alert system informing applicants about the availability of their geographical indication as a domain name, 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; 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</p>

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-Making. 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.

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-Making. 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.

**Reason**

It is important that some essential components of the system are defined in the Regulation and not by delegated acts.

**Amendment 11**

Article 2

<b><i>Text proposed by the European Commission</i></b>	<b><i>CoR amendment</i></b>
For the purposes of this Regulation the following definitions shall apply:  (g) 'generic terms' means: (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; <i>and</i> <i>ii) a common term descriptive of types of products, product attributes or other terms that do not refer to specific product;</i>	For the purposes of this Regulation the following definitions shall apply:  (g) 'generic terms' 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;

**Reason**

Point (g) (ii) adds a new provision concerning the definition of 'generic term'. This issue should be left to the courts.

**Amendment 12**

Article 4

<b><i>Text proposed by the European Commission</i></b>	<b><i>Amendment</i></b>
	<b><i>1. The measures set out in this Regulation are intended to support agricultural and processing activities and the farming systems associated with high quality products, thereby contributing to the achievement of rural development policy objectives.</i></b>

**Reason**

EU GIs play a major role in sustaining economic and social activity in rural areas and are therefore crucial for maintaining territorial balance at regional level. As the Commission itself has recognised GIs as a "key driver of rural growth", a reference to GIs as tools contributing to rural development should be reintroduced.

## Amendment 13

### Article 4

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
<p>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 ensuring the following:</p> <p>(a) producers acting collectively have the necessary powers and responsibilities to manage their geographical indication, including to respond to societal demands for products resulting from sustainable production in its three dimensions of economic, environmental and social value, and to operate in the market;</p> <p>(b) fair competition for producers in the marketing chain;</p> <p>(c) consumers should receive reliable information and a guarantee of authenticity for such products and should be able to easily identify them in the marketplace including in e-commerce;</p> <p>(d) efficient registration of geographical indications taking into account the appropriate protection of intellectual property rights; <b>and</b></p> <p>(e) effective enforcement and marketing throughout the Union and in electronic commerce ensuring the integrity of the internal market.</p>	<p>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 ensuring the following:</p> <p>(a) producers acting collectively have the necessary powers and responsibilities to manage their geographical indication, including to <b>create value and to</b> respond to societal demands for products resulting from sustainable production in its three dimensions of economic, environmental and social value, and to operate in the market;</p> <p>(b) fair competition for producers in the marketing chain;</p> <p>(c) consumers should receive reliable information and a guarantee of authenticity for such products and should be able to easily identify them in the marketplace including in <b>the domain name system and in</b> e-commerce;</p> <p>(d) efficient registration of geographical indications taking into account the appropriate protection of intellectual property rights <b>in the EU's single market and digital market</b>;</p> <p>(e) effective enforcement and marketing throughout the Union, <b>as well as in the domain name system</b> and in electronic commerce ensuring the integrity of the internal market;</p> <p><b>(f) the added value associated with products with a geographical indication is shared throughout the value chain so that producers can stabilise their prices and invest in the quality and reputation of their products.</b></p>

<i>Reason</i>
<p>As introduced for GI wines by Article 172b of the CMO, it is necessary to stress that GIs must seek to create added value throughout the chain in order to improve their quality and reputation.</p>

## Amendment 14

### Article 12

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
<p>1. A producer group may agree on sustainability undertakings to be adhered to in the production of the product designated by a geographical indication. <b><i>Such undertakings shall aim to apply a sustainability standard higher than mandated by Union or national law and go beyond good practice in significant respects in terms of social, environmental or economic undertakings.</i></b> Such undertakings shall be specific, shall take account of existing sustainable practices employed for products designated by geographical indications, and may refer to existing sustainability schemes.</p> <p>2. The sustainability undertakings referred to in paragraph (1) <b><i>shall be</i></b> included in the product specification.</p> <p>3. The sustainability undertakings referred to in paragraph 1 shall be without prejudice to requirements for compliance with hygiene, safety standards and competition rules.</p> <p><b><i>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.</i></b></p> <p><b><i>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).</i></b></p>	<p>1. A producer group may agree on <b><i>economic, environmental or social</i></b> sustainability undertakings to be adhered to in the production of the product designated by a geographical indication. Such undertakings shall be specific, shall take account of existing sustainable practices employed for products designated by geographical indications, and may refer to existing sustainability schemes.</p> <p>2. The sustainability undertakings referred to in paragraph (1) <b><i>may be</i></b> included in the product specification <b><i>and/or developed as part of separate initiatives.</i></b></p> <p>3. The sustainability undertakings referred to in paragraph 1 shall be without prejudice to requirements for compliance with hygiene, safety standards and competition rules.</p>

<i>Reason</i>
<p>Sustainability criteria cannot be defined by delegated acts. It must be specified in the Regulation, leaving producer groups free to choose whether to include approved sustainability undertakings in the product specification or by other means.</p>

## Amendment 15

### Article 17

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
2. Scrutiny <i>should</i> not exceed a period of 6 months. In the event that the scrutiny period exceeds or is likely to exceed 6 months the Commission <i>shall</i> inform the applicant of the reasons for the delay in writing.	2. Scrutiny <i>must</i> not exceed a period of 6 months. In the event that the scrutiny period exceeds or is likely to exceed 6 months the Commission <i>must</i> inform the applicant of the reasons for the delay in writing.

<i>Reason</i>
The Commission tends not to comply with the six-month deadline laid down in the Regulation, and producers and the Member States are never informed of the reason for the delay (despite the fact that the Regulation provides for this possibility). It must be specified that the scrutiny period must not exceed six months.

## Amendment 16

### Article 17

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
<i>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.</i>	

<i>Reason</i>
It should be clearly indicated that the Commission is responsible for examining applications for registration. For questions concerning intellectual property, the Commission will be able to rely on the technical support of EUIPO. However, this sharing of competences in relation to IPR needs to be clearly defined in the legislative proposal and not through delegated acts.

## Amendment 17

### Article 19

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
<i>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</i>	

***opposition procedure and by rules on entrusting its tasks set out in this Article to EUIPO.***

***Reason***

It should be clearly indicated that the Commission is responsible for the opposition procedure. In the event of tasks being delegated to EUIPO, these should be clearly defined in the legislative proposal and not by delegated acts.

**Amendment 18**

Article 25

<b><i>Text proposed by the European Commission</i></b>	<b><i>CoR amendment</i></b>
5. A standard amendment shall be considered as a temporary amendment when it concerns a temporary change in the product specification resulting from the imposition of obligatory sanitary and phytosanitary measures by the public authorities or a temporary amendment necessary because of a natural disaster or adverse weather conditions formally recognised by the competent authorities.	5. A standard amendment shall be considered as a temporary amendment when it concerns a temporary change in the product specification resulting from the imposition of obligatory sanitary and phytosanitary measures by the public authorities or a temporary amendment necessary because of a natural disaster or adverse weather conditions, <b><i>or the consequence of an exceptional geopolitical event</i></b> formally recognised by the competent authorities.

***Reason***

Recent events show that it would be useful to take into account geopolitical situations such as war to allow for temporary changes to specifications.

**Amendment 19**

Article 25

<b><i>Text proposed by the European Commission</i></b>	<b><i>CoR amendment</i></b>
8. If an application for a Union amendment to the product specification of a registered geographical indication also includes standard amendments or temporary amendments, the Commission shall scrutinise the Union amendment only. Any standard amendments or temporary amendments shall be deemed as not having been submitted. The scrutiny of such applications shall focus on the proposed Union amendments. <b><i>Where appropriate, the Commission or the Member State concerned may invite the applicant to modify other elements of the product specifications.</i></b>	8. If an application for a Union amendment to the product specification of a registered geographical indication also includes standard amendments or temporary amendments, the Commission shall scrutinise the Union amendment only. Any standard amendments or temporary amendments shall be deemed as not having been submitted. The scrutiny of such applications shall focus on the proposed Union amendments. <b><i>The Commission shall also ascertain that the Union amendment to the product specification of a geographical indication does not weaken possible other existing geographical indications or designations of origin.</i></b>

**Reason**

It could be risky to allow the EC to request changes to the specifications which go beyond the request submitted for amendment.

**Amendment 20**

Article 26

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
<b>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).</b>	

**Reason**

Delegation of these tasks to the EUIPO is not acceptable.

**Amendment 21**

Article 27(1)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
1. Geographical indications entered in the Union register of geographical indications shall be protected against:	1. Geographical indications entered in the Union register of geographical indications <b>and those protected by international agreements in the EU</b> shall be protected against:

**Reason**

GIs that are protected by bilateral or multilateral agreements should not be automatically included in the Union register.

**Amendment 22**

Article 27(1)(a)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
(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;	(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, <b>including when these products are used as ingredients;</b>

**Reason**

For consistency with the new provisions on the protection of GIs used as ingredients included in Article 28 of this proposal for a Regulation, it is useful to reintroduce the reference to GIs used as ingredients.

**Amendment 23**

Article 27(1)(b)

<b><i>Text proposed by the European Commission</i></b>	<b><i>CoR amendment</i></b>
(b) any misuse, imitation or evocation, even if the true origin of the products or services is indicated or if the protected name is translated or accompanied by an expression such as 'style', 'type', 'method', 'as produced in', 'imitation', 'flavour', 'like' or similar.	(b) any misuse, imitation or evocation, <b><i>even if Member States or public authorities are involved and</i></b> even if the true origin of the products or services is indicated or if the protected name is translated, <b><i>transcribed or transliterated</i></b> or accompanied by an expression such as 'style', 'type', 'method', 'as produced in', 'imitation', 'flavour', 'like' or similar, <b><i>including when these products are used as ingredients;</i></b>

**Reason**

Protection must also be strengthened against any action taken by other Member States and public authorities that officially complies with the law, but seeks to exploit the popularity of a GI.

**Amendment 24**

Article 27(1)(c)

<b><i>Text proposed by the European Commission</i></b>	<b><i>CoR amendment</i></b>
(c) any other false or misleading indication as to the provenance, origin, nature or essential qualities of the product that is used on the inner or outer packaging, advertising material, documents or information provided on websites relating to the product concerned, and the packing of the product in a container liable to convey a false impression as to its origin;	(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 <b><i>or on domain names</i></b> relating to the product concerned, and the packing of the product in a container liable to convey a false impression as to its origin;

**Amendment 25**

Article 27(2)

<b><i>Text proposed by the European Commission</i></b>	<b><i>CoR amendment</i></b>
<b><i>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</i></b>	

<i>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.</i>	
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<b>Reason</b>
Evocation is not defined in current EU regulations on GIs. The Court of Justice of the European Union has given an extensive interpretation of evocation, which is not reflected in the proposed article. It would be better to let the Court of Justice of the European Union continue to evaluate the issue of evocation on a case-by-case basis.

### Amendment 26

Article 27(7)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
<i>7. Where a geographical indication is a compound name which contains a term which is considered to be generic, the use of that term shall not constitute a conduct referred to in paragraph (1), point (a) and (b).</i>	

<b>Reason</b>
This provision could be dangerous for a number of PDO wines.

### Amendment 27

New paragraph – Article 27

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
	<i>8. The Member States shall take appropriate administrative and judicial measures to prevent or stop the unlawful use of protected designations of origin and protected geographical indications, as referred to in paragraph (1), that are produced or marketed in their territory. To that end, Member States shall designate the authorities responsible for taking such measures, in accordance with the procedures determined by each Member State.</i>

<b>Reason</b>
It would be important to reintroduce this provision of Article 13(3) of Regulation (EU) No 1151/2012.

## Amendment 28

Article 28(2)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
2. The geographical indication designating a product ingredient shall not be used in the food name of the related processed product, except in cases of an agreement with <i>a producer group representing two thirds of the producers</i> .	2. The geographical indication designating a product ingredient shall not be used in the food name of the related processed product, except in cases of an agreement with <i>the producer group, which may lay down minimum conditions for its use. Such use as an ingredient may give rise to financial compensation from the processor using the geographical indication.</i>

### *Reason*

It should be pointed out that producer groups may set minimum criteria for the use of their geographical indication product as an ingredient, as well as apply for a financial contribution or reimbursement in order to meet the increased costs relating to the operation and management of their normal activities.

## AMENDMENT 29

Article 28(3)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
3. <i>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.</i>	

### *Reason*

New rules on GIs used as ingredients should be established in this Regulation.

## Amendment 30

Article 29

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
3. <i>The Commission shall be empowered to adopt delegated acts in accordance with Article 84 supplementing this Regulation by additional rules for determining the generic status of terms referred to in paragraph (1) of this Article.</i>	

**Reason**

Additional rules on generic status, where applicable, should be set out in the Regulation and not through delegated acts.

**Amendment 31**

Article 32(1)

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

**Reason**

Categories belonging to producer groups vary depending on the type of value chain and between the Member States; it is therefore preferable to limit the specification of such categories to producers and processors. Moreover, the added value of including stakeholders that do not participate in the production process as members of a producer group is unclear.

**Amendment 32**

Article 32(2)

<b><i>Text proposed by the European Commission</i></b>	<b><i>CoR amendment</i></b>
2. A producer group may exercise in particular the following powers and responsibilities: (a) develop the product specification and manage <b><i>internal controls</i></b> that ensure compliance of production steps of the product designated by the geographical indication with the said specification; (b) take legal action to ensure protection of the geographical indication and of the intellectual	2. A producer group may exercise in particular the following powers and responsibilities: (a) develop the product specification and manage <b><i>the activities</i></b> that ensure compliance of production steps of the product designated by the geographical indication with the said specification; (b) take legal action to ensure protection of the geographical indication and of the intellectual property rights that are directly connected with it;

<p>property rights that are directly connected with it;</p> <p>(c) agree sustainability undertakings, whether or not included in the product specification or as a separate initiative, including arrangements for verification of compliance with those undertakings and assuring adequate publicity for them notably in an information system provided by the Commission;</p> <p>(d) take action to improve the performance of the geographical indication, including:</p> <p>(i) development, organisation and conduct of collective marketing and advertising campaigns;</p> <p>(ii) dissemination of information and promotion activities aiming at communicating the attributes of the product designated by a geographical indication to consumers;</p> <p>(iii) carrying out analyses into the economic performance, sustainability of production, nutritional profile, and organoleptic profile, of the product designated by the geographical indication;</p> <p>(iv) dissemination of information on the geographical indication and the relevant Union symbol; and</p> <p>(v) providing advice and training to current and future producers, including on gender mainstreaming and equality;</p> <p>(e) combat counterfeiting and suspected fraudulent uses on the internal market of a geographical indication designating products that are not in compliance with the product specification, by monitoring the use of the geographical indication across the internal market and on third countries markets where the geographical indications are protected, including on the internet, and, as necessary, inform enforcement authorities using confidential systems available.</p>	<p>(c) agree sustainability undertakings, whether or not included in the product specification or as a separate initiative, including arrangements for verification of compliance with those undertakings and assuring adequate publicity for them notably in an information system provided by the Commission;</p> <p>(d) <i>share best practices and raise awareness among producers of sustainability undertakings, as defined in Article 12. That could include, among other things, sending information on the financial aid available, developing tools and action plans;</i></p> <p>(e) take action to improve the performance of the geographical indication, including:</p> <p>(i) development, organisation and conduct of collective marketing and advertising campaigns;</p> <p>(ii) dissemination of information and promotion activities aiming at communicating the attributes of the product designated by a geographical indication to consumers;</p> <p>(iii) carrying out analyses into the economic performance, sustainability of production, nutritional profile, and organoleptic profile, of the product designated by the geographical indication;</p> <p>(iv) dissemination of information on the geographical indication and the relevant Union symbol; and</p> <p>(v) providing advice and training to current and future producers, including on gender mainstreaming and equality;</p> <p>(f) combat counterfeiting and suspected fraudulent uses on the internal market of a geographical indication designating products that are not in compliance with the product specification, by monitoring the use of the geographical indication across the internal market and on third countries markets where the geographical indications are protected, including on the internet, and, as necessary, inform enforcement authorities using confidential systems available.</p>
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<b>Reason</b>
Non-recognised producer groups do not have sufficient capacity to take on these new tasks. In contrast, by transferring new skills to recognised producer groups, it would be possible to encourage the most active non-recognised producer groups to become recognised and thus improve their structuring.

### Amendment 33

Article 32 – new point g) in paragraph 2

<b>Text proposed by the European Commission</b>	<b>CoR amendment</b>
	<i>(g) take measures to enhance the value of products and, where necessary, take steps to prevent or counter any measures which are, or risk being, detrimental to the image of those products.</i>

<b>Reason</b>
It is necessary to reintroduce this provision of Article 45(1)(f) of Regulation 1151/12 in order to strengthen the role and powers of GI producer groups.

### Amendment 34

Article 33

<b>Text proposed by the European Commission</b>	<b>CoR amendment</b>
<p>1. Upon a request of producer groups <b><i>fulfilling the conditions of paragraph 3</i></b>, Member States shall designate, in accordance with their national law, one producer group as recognised producer group for <b><i>each geographical indication originating in their territory that is registered or is subject to an application for registration or for product names that are a potential subject for application for registration.</i></b></p> <p>2. A producer group may be designated as recognised producer group <b><i>subject to a prior agreement concluded between at least two-thirds of the producers of the product bearing a geographical indication, accounting for at least two-thirds of the production of that product in the geographical area referred to in the product specification. As an exception, an authority, as referred to in Article 8(2), and a single producer, as referred to in Article 8(3), shall be deemed to be a recognised producer group.</i></b></p>	<p>1. Upon a request of producer groups Member States shall designate, in accordance with their national law, one producer group as recognised producer group for <b><i>one or several geographical indications originating in their territory.</i></b></p> <p>2. A producer group may be designated as recognised producer group <b><i>if:</i></b></p> <p><b><i>(a) it has a minimum number of members and/or covers a minimum volume or value of marketable production, to be laid down by the Member State concerned, in the area where it operates. Such provisions shall not prevent the recognition of producer groups which are dedicated to small-scale production; (aa) it does not weaken possible other existing geographical indications or designations of origin;</i></b></p> <p><b><i>(b) it provides sufficient evidence that it can carry out its activities, both over time and in terms of efficiency, with regard to providing</i></b></p>

3. In addition to the powers and responsibilities referred to in Article 32(2), a recognised producer group may exercise 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 which are, or risk being, detrimental to the image of their products;

(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;

(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 products conforming to the corresponding product specification.

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

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

***human, material and technical support to its members;***

***(c) it exercises its powers and responsibilities in accordance with the criteria of fair and balanced representation of the categories of operators involved in the production process that are established, or to be established, by the Member State concerned, in order to avoid exclusion and allow for the democratic governance of the recognised group.***

3. In addition to the powers and responsibilities referred to in Article 32(2), a recognised producer group may exercise 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 which are, or risk being, detrimental to the image of their products;

(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;

(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 products conforming to the corresponding product specification;

***(e) to establish standard value-sharing clauses within the meaning of Article 172a of Regulation (EU) No 1308/2013, including market premiums and losses, by determining any changes in the relevant market prices of the products concerned or of other goods;***

	<p><i>(f) to lay down rules concerning the use of their GI product as an ingredient, in particular: i) to establish minimum conditions for the use of their GI product as an ingredient; ii) to request a financial contribution or reimbursement from the processor using the GI as an ingredient; iii) to carry out monitoring and supervision activities throughout the EU single market;</i></p> <p><i><u>(g) to be consulted by the European Commission in the context of negotiations on international trade agreements as regards the protection of their names.</u></i></p> <p>4. Member States shall carry out checks in order to ensure that the conditions laid down in paragraph 2 are complied with. Where the competent national authorities find that such conditions have not been complied with, Member States shall annul the decision on the recognition of the producer group.</p>
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<b><i>Reason</i></b>	
<p>The current wording does not take into account the diversity of legal situations in the Member States. The legislative proposal should set out general principles on how a group of GIs can be recognised by a Member State so that national specificities, as well as differences between sectors, are taken into account. Lastly, it is essential that the representativeness criteria of the recognised group ensure balanced decision-making between the different members of the group.</p>	

**Amendment 35**

Article 33, new point 6

<b><i>Text proposed by the European Commission</i></b>	<b><i>CoR amendment</i></b>
	<p><b><i>6. In duly justified cases, Member States may decide, on the basis of objective and non-discriminatory criteria, that the conditions set out in paragraph 1 have been met for producer groups already recognised at national level on the basis of national rules in force before the date of entry into force of this Regulation, and that this is not detrimental to the proper functioning of the internal market.</i></b></p>

<b><i>Reason</i></b>	
<p>Some Member States already have a system with recognised producer groups.</p>	

## Amendment 36

Article 34(1)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
<p>1. <i>Country-code top-level</i> domain name registries <i>established in the Union may</i>, upon the request of a natural or legal person having a legitimate interest or rights, revoke or transfer a domain name registered <i>under such country-code top-level domain</i> to the recognised producer group of the products with the geographical indication concerned, following an appropriate alternative dispute resolution procedure or judicial procedure, if such domain name has been registered by its holder without rights or legitimate interest in the geographical indication or if it has been registered or is being used in bad faith and its use contravenes Article 27.</p>	<p>1. <i>The following obligations shall apply to core platform services provided or offered by gatekeepers to end users, established or located in the Union, and to business users, irrespective of the place of establishment or residence of the gatekeepers or business users and irrespective of the law otherwise applicable to the provision of services, in accordance with Article 1 of Regulation 2022/xxx.</i></p> <p><i>Domain</i> name registries <i>must automatically or</i>, upon the request of a natural or legal person having a legitimate interest or rights, revoke or transfer a domain name registered to the recognised producer group of the products with the geographical indication concerned, <i>or to the Member State of origin of the geographical indication concerned</i>, 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.</p>

### *Reason*

Article 34 only covers the country-code top-level domains (ccTLDs) in the EU. This provision does not apply to non-ccTLD domain names. It is therefore appropriate to align the wording with that of the Digital Markets Act.

## Amendment 37

Article 34(2)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
<p>2. <i>Country-code top-level</i> domain name registries <i>established in the Union</i> 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.</p>	<p>2. Domain name registries 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.</p>

### Amendment 38

New article after Article 45

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
	<ol style="list-style-type: none"><li>1. <i>EUIPO may participate in the functioning of the EU's geographical indications system by providing technical assistance to the European Commission under the circumstances, and in the manner, provided for in this Regulation, without exceeding its area of competence in the field of intellectual property rights.</i></li><li>2. <i>The involvement of EUIPO must not lead to extra procedures or to such procedures taking longer.</i></li><li>3. <i>EUIPO may support the European Commission in carrying out the following tasks:</i><ol style="list-style-type: none"><li>a) <i>assistance on intellectual property aspects in the scrutiny of applications as part of procedures for registering and amending geographical indications, as well as opposition procedures;</i></li><li>b) <i>publication of standard amendments for a product specification;</i></li><li>c) <i>protection of geographical indications, including on the internet;</i></li><li>d) <i>operation of the GI register;</i></li><li>e) <i>establishment and management of an alert system informing applicants of the availability of their geographical indication as a domain name.</i></li></ol></li></ol>

#### *Reason*

Chapter 5 of the proposal for a Regulation is the appropriate place to better clarify and list in a transparent way the types of tasks that EUIPO can assist the Commission with. EUIPO could therefore supplement DG AGRI's competences in the area of agriculture and rural development by providing expertise on IPR.

## Amendment 39

### Article 47

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
<p>1. Where the Commission <i>exercises any of the empowerments provided for in this Regulation to entrust tasks to EUIPO</i>, it shall <i>also</i> be empowered to adopt delegated acts in accordance with Article 84 to supplement this Regulation by criteria for monitoring performance in the execution of such tasks. Such criteria may include:</p> <p>(a) <i>the extent of integration of agricultural factors in the scrutiny process;</i></p> <p>(b) quality of assessments;</p> <p>(c) coherence of assessments of geographical indications from different sources;</p> <p>(d) efficiency of tasks; <i>and</i></p> <p>(e) user satisfaction.</p> <p>2. No later than 5 years after the first delegation of any tasks to EUIPO, the Commission shall prepare and submit a report to the European Parliament and to the Council on the results and experience of the exercise of these tasks by EUIPO.</p>	<p>1. Where the Commission <i>calls on the assistance of EUIPO to carry out the tasks mentioned</i>, it shall be empowered to adopt delegated acts in accordance with Article 84 to supplement this Regulation by criteria for monitoring performance in the execution of such tasks. Such criteria may include:</p> <p>(a) quality of assessments;</p> <p>(b) coherence of assessments of geographical indications from different sources;</p> <p>(c) efficiency of tasks;</p> <p>(d) <i>reducing processing time for the scrutiny of applications; and</i></p> <p>(e) user satisfaction.</p> <p>2. No later than 5 years after the first delegation of any tasks to EUIPO, the Commission shall prepare and submit a report to the European Parliament and to the Council on the results and experience of the exercise of these tasks by EUIPO.</p>

<i>Reason</i>
EUIPO's contribution to the performance of these tasks will be limited to IPR aspects and its involvement will also have to be assessed in terms of how much it reduces the duration of procedures.

## Amendment 40

### Article 48(3)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
<p>3. The following agricultural products are excluded from being the subject of a protected designation of origin or a protected geographical indication:</p> <p>(a) <i>products that by their nature cannot be traded within the internal market and can only</i></p>	<p>3. The following agricultural products are excluded from being the subject of a protected designation of origin or a protected geographical indication:</p> <p>products that, without prejudice to the rules referred to in Article 5(2), are contrary to public policy or to accepted principles of morality and may not be placed on the internal market.</p>

<p><i>be consumed in or near their place of manufacture, such as restaurants;</i></p> <p>(b) products that, without prejudice to the rules referred to in Article 5(2), are contrary to public policy or to accepted principles of morality and may not be placed on the internal market.</p>	
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<b><i>Reason</i></b>
Given that the type of products that could be excluded is not clearly defined, this article could constitute a discriminatory provision.

### Amendment 41

Article 60

<b><i>Text proposed by the European Commission</i></b>	<b><i>CoR amendment</i></b>
2. The scrutiny <i>should</i> not exceed a period of 6 months. In the event that the scrutiny period exceeds or is likely to exceed 6 months the Commission shall inform the applicant of the reasons for the delay in writing.	2. The scrutiny <i>must</i> not exceed a period of 6 months. In the event that the scrutiny period exceeds or is likely to exceed 6 months the Commission <i>must</i> inform the applicant of the reasons for the delay in writing.

<b><i>Reason</i></b>
The Commission tends not to comply with the six-month deadline laid down in the Regulation. It must be specified that the scrutiny period must not exceed six months.

### Amendment 42

Article 84

<b><i>Text proposed by the European Commission</i></b>	<b><i>CoR amendment</i></b>
2. The power to adopt delegated acts referred to in <b>Article 12(4), Article 14(2), Article 15(6), Article 17(5), Article 19(10), Article 23(7), Article 25(10), Article 26(6), Article 28(3), Article 29(3), Article 34(3), Article 46(1), Article 46, Article 47(1), Article 48(6), Article 48(7), Article 49(4), Article 51(3), Article 55(5), Article 56(2), Article 73(10), Article 69(4), Article 70(2), Article 58(3), Article 62(10), Article 67(3), Article 68(6), Article 76(4), Article 77(1), Article 78(3), Article 78(4)</b> , shall be conferred on the Commission for a period of 7 years from [date of entry into force of this Regulation]. The	2. The power to adopt delegated acts referred to in Article 15(6), Article 23(7), Article 25(10), Article 34(3), Article 46(1), Article 46, Article 47(1), Article 48(6), Article 48(7), Article 49(4), Article 51(3), Article 55(5), Article 56(2), Article 73(10), Article 69(4), Article 70(2), Article 58(3), Article 62(10), Article 67(3), Article 68(6), Article 76(4), Article 77(1), Article 78(3), Article 78(4), shall be conferred on the Commission for a period of 7 years from [date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than 9 months before the end of the

Commission shall draw up a report in respect of the delegation of power not later than 9 months before the end of the seven-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than 3 months before the end of each period.	seven-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than 3 months before the end of each period.
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<i>Reason</i>
The text would give the EC wide freedom to make changes to GI policy through delegated acts. This is not acceptable, as the key issues need to be laid down in the text of the Regulation and by the co-decision procedure.

## **II. POLICY RECOMMENDATIONS**

### THE EUROPEAN COMMITTEE OF THE REGIONS

1. welcomes the legislative proposal of the European Commission and urges the European Parliament and the Council to take into account the significant improvements to the geographical indications (GIs) system introduced by the recent reform of the Common Agricultural Policy (CAP);
2. points out that GIs are a fundamental component of rural development policy and have an impact on the economic and social activity of the regions;
3. in this respect, regrets that the proposed regulation has relegated to the recitals the reference to achieving the objectives of rural development policy, whereas this reference previously appeared in Article 1 of the Regulation;
4. supports the establishment of a single set of procedural rules for all sectors, with a view to ensuring consistency and making the GI system clearer, while recommending that no further steps be taken, in order to maintain the specificities of each sector;
5. supports the proposal to add the possibility of regional or local public bodies helping in the preparation of the application and the registration procedure for GIs in order to formalise regions' contributions to the preparation and preliminary stages of the registration process for GIs;
6. points out that GIs should not be viewed only as intellectual property rights (IPR), since they are also rural development tools;
7. considers, therefore, that given its expertise in agriculture and rural development, DG AGRI should continue to handle the scrutiny of applications for registration, opposition and cancellation of GIs, as well as amendments to the specifications;

8. considers that the European Union Intellectual Property Office (EUIPO), given its technical expertise on IPR and its resources, could be involved in the functioning of the EU GI system by providing technical assistance to the European Commission in cases relating to intellectual property, and in a manner to be clearly defined in the legislative proposal and not through delegated acts;
9. stresses that EUIPO's involvement in the registration, amendment of specifications and opposition procedures must be limited to its area of competence in the field of intellectual property rights and must not lead to extra procedures or such procedures becoming longer;
10. notes, however, that according to the Court of Auditors' report<sup>2</sup>, EUIPO's intervention did not reduce the duration of the proceedings;
11. stresses the importance of providing clear deadlines and speeding up procedures for amending specifications, which have a huge impact on the adoption of production process adjustments;
12. notes also that EUIPO has developed real expertise in the field of geographical indications and has very effective tools that could be very useful for monitoring and promoting geographical indications and combating fraud;
13. recommends that a review be made of this partial transfer of competence within two years and in the light of EUIPO taking over full responsibility for registering non-agricultural GIs, in order to see whether any amendments are needed to the Regulation;
14. given the territorial dimension of GIs, it would be advisable to involve the Committee of the Regions in the evaluation system;
15. recognises the contribution of GIs to environmental, social and economic sustainability, through their close link with the territory of origin, as well as to diverse and balanced diets;
16. approves of the inclusion of voluntary sustainability undertakings in GIs, the definition of which should be clarified in the Regulation, giving producer groups the possibility to adapt sustainability standards according to their territories;
17. welcomes the European Commission's ambition to encourage GI producers to work together effectively within producer groups and to give such groups more powers, since strong collective governance is at the heart of the GI system;
18. regrets that, as formulated, by providing for two levels of representativeness the European Commission's proposal creates a lot of confusion as to the different producer groups, their powers and their responsibilities, and considers that the current wording does not take into account the diversity of legal situations in the Member States;

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<sup>2</sup> [Special report 06/2022 on EU intellectual property rights – protection not fully waterproof](#)

19. supports improving the protection of GIs on the internet, in particular with regard to sales on online platforms, and protection against bad-faith registration and use of GIs in the domain name system;
20. supports the clarifications made concerning GIs used as ingredients;
21. given the fact that GIs represent a sales value of EUR 74.76 billion and 15.5 % of total EU agri-food exports, recommends that they continue to be protected in trade agreements;
22. given the fact that small and medium-sized GIs account for 48% of the total number of GIs in the EU, but only 0.5% of the total value of sales under GIs<sup>3</sup>, recommends adequate support to enable producers to deal with production costs and thus avoid them giving up on certification;
23. considers that, within the optional quality terms (OQT), it may be useful to keep the possibility of reintroducing the term "product of island farming" and to consider introducing a reference to "milk, cheese and meat from grazing" for products that ensure that more than 80% of the feed comes from pasture throughout the grazing season;
24. recommends speeding up the implementation of the "mountain products" OQT, reminding the Member States of the opportunities offered by this term, and monitoring its implementation;
25. recognises that GIs can also be a key factor in obtaining a UNESCO World Heritage label<sup>4</sup> and, in order to promote rural areas, recommends synergy be created between these two labels, enabling cultural heritage to add value to agricultural value chains and thus to the whole economy of the territory.

Brussels, 30 November 2022

The president of the  
European Committee of the Regions

Vasco Alves Cordeiro

The secretary-general of the  
European Committee of the Regions

Petr Bližkovský

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<sup>3</sup> European Commission (February 2021), "[Study on economic value of EU quality schemes, geographical indications \(GI\) and traditional specialities guaranteed \(TSG\)](#)".

<sup>4</sup> European Committee of the Regions (March 2022), "How can local and regional authorities use World Heritage agricultural landscapes as a tool for enhancing the economic and social sustainability of rural areas? Case studies and recommendations for successful knowledge transfer".

### III. PROCEDURE

<b>Title</b>	Reform of the geographical indications system
<b>Reference(s)</b>	COM(2022) 134 final
<b>Legal basis</b>	Article 307(3) TFEU
<b>Procedural basis</b>	Rule 41 c) RoP
<b>Date of Council/EP referral/Date of Commission letter</b>	
<b>Date of Bureau/President's decision</b>	
<b>Commission responsible</b>	Commission for Natural Resources
<b>Rapporteur</b>	Karine Gloanec-Maurin (FR/PES)
<b>Analysis note</b>	June 2022
<b>Discussed in commission</b>	5 October 2022
<b>Date adopted by commission</b>	5 October 2022
<b>Result of the vote in commission (majority, unanimity)</b>	Unanimous
<b>Date adopted in plenary</b>	30 November 2022
<b>Previous Committee opinions</b>	
<b>Date of subsidiarity monitoring consultation</b>	