

COM-2/026

Brussels, 4 December 2001

OPINION

of the

Committee of the Regions

of 14 November 2001

on the

**Protection of geographical indications and designations of origin
for agricultural products and foodstuffs**

The Committee of the Regions

HAVING REGARD TO the decision of its bureau of 13 February 2001, under the fifth paragraph of Article 265 of the Treaty establishing the European Community, to instruct Commission 2 for Agriculture, Rural Development and Fisheries to draw up an own-initiative opinion on the *Protection of geographical indications and designations of origin for agricultural products and foodstuffs*;

HAVING REGARD TO Council Regulation (EEC) No. 2081/92¹ of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs;

HAVING REGARD TO Council Regulation (EEC) No. 2082/92² of 14 July 1992 on certificates of specific character for agricultural products and foodstuffs;

HAVING REGARD TO the existence of a proposal for a Council Regulation (EC) amending Council Regulation (EEC) No. 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs, which includes adjustments in line with World Trade Organisation (WTO) agreements (this point will depend on whether we can obtain the Commission proposal in time);

HAVING REGARD TO the draft opinion (CdR 58/2001 rev. 2), adopted by Commission 2 on 9 October 2001 on the *Protection of geographical indications and designations of origin for agricultural products and foodstuffs* (rapporteurs: **Mr Sanz Alonso**, President of the Autonomous Community of La Rioja, E/EPP, and **Mr Rumpf**, former State Secretary for European Affairs of the Land of Rhine-Palatinate, D/ELDR);

HAVING REGARD TO the draft Community guidelines for state aids for the promotion and advertising of agricultural products listed in Annex I of the Treaty;

WHEREAS the application of Council Regulation (EEC) No. 2081/92 continues to be a valid means of implementing the Common Agricultural Policy, principally in the less advantaged areas, enabling farmers' incomes to be enhanced and rural populations to remain in place;

WHEREAS the application of WTO agreements obliges the European Union and all countries coming under the WTO to adjust their legislation in order to permit such agreements to be implemented;

WHEREAS small farmers form the backbone of production and marketing activities in less advantaged areas, selling their produce on the regional or national market, thereby meeting the objectives of Regulation (EEC) No. 2081/92, which include the growth of small and medium-sized enterprises (SMEs);

WHEREAS regional economies must be strengthened, since they have a strong ecological influence and a powerful effect on the regional structure, environment and consumers; SMEs which meet these objectives should also be supported, even if they sell their products on the regional or national market;

WHEREAS Article 5 of Regulation (EEC) No. 2081/92, which replaces national arrangements for protecting designations of origin (PDOs) and geographical indications (PGIs), restricts entitlement to apply for registration of a PDO or PGI to groups working with the same product, it is proposed to amend the text so that applications for registration may be made by groups made up of other groups and/or those working with different agricultural products or foodstuffs within the meaning of Article 2(2) (a) or (b);

WHEREAS the less advantaged areas, where development must be reinforced in accordance with Regulation (EEC) No. 2081/92, contain small-scale operators who cannot easily bear the costs of implementing the regulation;

WHEREAS such operators must be provided with economic means and instruments so that they can optimise their products while ensuring that consumers are protected against unfair practices, Regulation (EEC) No. 2081/92 must allow those working with different agricultural products or foodstuffs to form single groups, which would reduce costs and facilitate marketing of their products;

WHEREAS in addition to products which are produced in line with Regulations (EEC) Nos. 2081 and 2082, other products must be taken into consideration which do not come under these regulations but which are equally important for rural development and for improving the income of small farms.

These products also require marketing support, provided that all aspects of production, processing and marketing comply with the case-law of the Court of Justice of the European Communities and Community laws.

It is a recognised fact that most of these products are also sold in the regions in which they are produced. Steps must therefore be taken to ensure that such products can be promoted in these cases as well, if necessary with public financial support. Only in this way will small farms have a chance to make people aware of their products;

adopted the following opinion at its 41st plenary session of 14 and 15 November 2001 (meeting of 14 November).

Recommendations

The Committee of the Regions

1. calls upon the European Commission, in the light of the above, to revise Council Regulations (EEC) No. 2081/92 and No. 2082/92 and, if necessary, to incorporate the recommendations of the present opinion into the proposal for a Council regulation amending Regulation 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs;
2. believes that the proposal to amend the regulation should make it possible for groups of producers and/or processors, or processors alone, to form groups, even if they work with different agricultural products and foodstuffs covered by Regulations (EEC) No. 2081/92 and No. 2082/92;
3. proposes that the Commission introduce the possibility of also using origin marking for marketing different types of agricultural products or foodstuffs - but only of proven high quality - covered by Article 2(2) (a) or (b) of the regulation, produced in a Member State and/or in a specific region;
4. urges that the possibility of registering this geographical indication be introduced, offering protection under Articles 13 and 13 of Council Regulation (EEC) No. 2081/92;
5. calls upon the Commission to withdraw the proposed basic ban on aid for advertising in the region or Member State to which the business concerned belongs for all agri-foodstuff products which comply with Community legislation and the case-law of the European Communities; this ban is set out in paragraph 4.1, point 38, of the Community guidelines for state aids for the promotion and advertising of agricultural products listed in Annex I of the Treaty;
6. recommends that the costs of preparatory work to recognise the protection of geographical indications and designations of origin for agricultural products and foodstuffs, particularly in areas coming under the cohesion policies, be funded from rural development programmes.

Brussels, 14 November 2001

The President

The Secretary-General

of the

of the

Committee of the Regions

Committee of the Regions

Jos Chabert

Vincenzo Falcone

¹ OJ L 208 of 24.7.1992, p. 1-8.

² OJ L 208 of 24.7.1992, p. 9-14.

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