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From:	Presidency
To:	Delegations
Subject:	Regulation on geographical indications and quality schemes - Presidency drafting suggestions on Art. 81 and 83

With a view to the meeting of the Working Party on Horizontal Agricultural Questions (Geographical indications and designations of origin) on 25 October 2022, delegations will find attached Presidency drafting suggestions on Art. 81 and 83.

Title IV
Amendments to Regulations (EU) No 1308/2013, (EU) 2017/1001
and (EU) 2019/787

Article 81

Amendments to Regulation (EU) No 1308/2013

Regulation (EU) No 1308/2013 is amended as follows:

(1) in Article 93(1), point (b) is replaced by the following

(b) “geographical indication” means a name, including a traditionally used name, which identifies a product referred to in Article 92(1):

(i) whose specific quality, reputation or other characteristics are attributable to its geographical origin;

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

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

(iv) the production of which takes place in that geographical area; and

(v) which is obtained from vine varieties belonging to *Vitis vinifera* or a cross between the *Vitis vinifera* species and other species of the genus *Vitis*.’;

(2) Article 94 is replaced by the following:

‘Article 94

Product specification

1. The product specification shall enable interested parties to verify the relevant conditions of production relating to the designation of origin or geographical indication. The product specification shall comprise:

- (a) the name to be protected;
- (b) the type of geographical indication, being a protected designation of origin or a protected geographical indication;
- (c) a description of the wine or wines, including the principal analytical organoleptic characteristics;
- (d) where applicable, the specific oenological practices used to make the wine or wines, as well as relevant restrictions on making them;
- (e) the definition of the geographical area delimited with regard to the link referred to in point (h);
- (f) the maximum yields per hectare;
- (g) an indication of the wine grape variety or varieties the wine or wines are obtained from;

- (h) the details on the link referred to in Article 93(1), point (a)(i), or, as the case may be, point (b)(i):
 - (i) as regards a protected designation of origin, the link between the quality or characteristics of the product and the geographical environment referred to in Article 93(1), point (a)(i); the details concerning the human factors of that geographical environment may, where relevant, be limited to a description of the soil, plant material 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 point;
 - (ii) as regards a protected geographical indication, the link between a specific quality, the reputation or other characteristic of the product, and the geographical origin referred to in Article 93(1), point (b)(i);
- (i) other applicable requirements where provided for by Member States or by a recognised 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 contain sustainability undertakings pursuant to Article [12](#) of Regulation (EU) .../... of the European Parliament and of the Council [*Regulation on GI's*]*.

3. Where the wine or wines may be partially de-alcoholised, the product specification shall also contain a description of the partially de-alcoholised wine or wines in accordance with paragraph (2), point (c), *mutatis mutandis*, and, where applicable, the specific oenological practices used to make the partially de-alcoholised wine or wines, as well as the relevant restrictions on making them.

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

(2a) Article 95 is replaced by the following:

‘Article 95

Single document

1. The single document shall include the following:

(a) the name to be protected as a designation of origin or a geographical indication;

(b) the Member State or third country to which the demarcated area belongs;

(c) the type of geographical indication;

(d) a description of the wine or wines;

(e) the categories of grapevine products;

(f) the maximum yields per hectare;

(g) the indication of the wine grape variety or varieties from which the wine or wines are obtained;

(h) a concise definition of the demarcated geographical area;

(i) a description of the link referred to in point (a)(i) or in point (b)(i) of Article 93(1) of Regulation (EU) No 1308/2013;

(j) where applicable, the specific oenological practices used to make the wine or wines, as well as the relevant restrictions on making them;

(k) where applicable, the specific rules concerning packaging and labelling and all other essential relevant requirements.

2. Where an application covers different categories of grapevine products, the details bearing out the link shall be demonstrated for each of the grapevine products concerned.

(3) Articles 95~~6~~ to 99, **the first and second subparagraph of Article 100(1) and Article 100(2),** Articles 101 to 106~~a~~ and Article 107**(2), (3) and (4)** are deleted.

(3a) Article 110 is replaced by the following:

‘Article 110

Implementing powers

1. The Commission may adopt implementing acts laying down rules concerning:

(a) the form of the product specification;

(b) the definition of the format and the online presentation of the single document provided for in Article 95;

(c) the exclusion or anonymisation of personal data.

2. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2) of Regulation (EU) 202X/XXXX of the European Parliament and of the Council on European Union geographical indications for wine spirit drinks and agricultural products’.

(3b) Article 115(3) shall be replaced as follows:

‘The Commission shall adopt implementing acts providing for the protection of traditional terms in respect of which an application for protection has been accepted, in particular by classifying them in accordance with Article 112 and by publishing a definition and/or the conditions of use.

The Commission shall also adopt implementing acts concerning the actions to be implemented by the Member States to prevent the unlawful use of protected traditional terms.'

(3c) Article 116a is deleted.

(3d) Article 120(1)(e) is replaced by the following:

'(e) the Union symbol indicating the protected designation of origin or the protected geographical indication and the abbreviations PDO or PGI;'

(3e) Article 166(a)(1) is replaced by the following:

'(1) Without prejudice to Articles 167 and 167a of this Regulation, at the request of a producer organisation or association of producer organisations recognised under Article 152(1) or 161(1) of this Regulation, an interbranch organisation recognised under Article 157(1) of this Regulation, a recognised producer group as referred to in Article 33(3)(c) of Regulation (EU) 202X/XXXX of the European Parliament and of the Council on European Union geographical indications for wine spirit drinks and agricultural products, Member States may lay down, for a limited period of time, binding rules for the regulation of the supply of agricultural products referred to in Article 1(2) of this Regulation benefiting from a protected designation of origin or from a protected geographical indication under Article 48(1)(2) of Regulation (EU) 202X/XXXX of the European Parliament and of the Council on European Union geographical indications for wine spirit drinks and agricultural products or under Article 93(1), points (a) and (b), of this Regulation.'

(...)

Article 83

Amendments to Regulation (EU) 2019/787

Regulation (EU) 2019/787 is amended as follows:

- (1) in Article 3, points 6 and 7 are deleted;
- (2) Articles 16 and 21 are deleted;
- (3) Article 23 is replaced by the following:

‘Article 23

Single document

The single document shall set out the following:

- (a) the main points of the product specification, including the name to be protected, the category to which the spirit drink belongs or the term ‘spirit drink’, the production method, a description of the characteristics of the spirit drink, a concise definition of the geographical area, and, where appropriate, specific rules concerning packaging and labelling;
 - (b) a description of the link between the spirit drink and its geographical origin as referred to in Article 3, point (4), including, where appropriate, the specific elements of the product description or production method justifying that link.’;
- (4) Articles 24 to 33, **Article 34(1) and (2),**~~and~~ Articles 35, **36 and Articles 38** to 40 are deleted.

(4a) Article 42 is replaced by the following:

‘Article 42

Implementing powers

1. **The Commission may adopt implementing acts concerning:**
 - (a) the form of the product specification;**
 - (b) the definition of the format and the online presentation of the single document provided for in Article 23(1)(c);**
 - (c) the exclusion or anonymisation of personal data.**
2. **Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2) of Regulation (EU) 202X/XXXX of the European Parliament and of the Council on European Union geographical indications for wine, spirit drinks and agricultural products.’**