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From:	Presidency
To:	Delegations
Subject:	Regulation on geographical indications and quality schemes - Presidency drafting suggestions on Art. 1-26, 38-45, 48-54, 70, 74, 80, 84a, 86 and Annex I

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. 1-26, 38-45, 48-54, 70, 74, 80, 84a, 86 of the abovementioned proposal, without the parts related to EUIPO (Art. 17(5), 19(10), 23(7), 25(10), 26(6)), on Annex I and on some recitals (6, 6a-6e, 7-10, 27, 36, 57).

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

(...)

- (6) The protection of natural persons in relation to the processing of personal data is a fundamental right. Regulation (EU) 2018/1725 of the European Parliament and of the Council¹ provides rules on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data. **Regulation (EU) 2016/679² of the European Parliament and of the Council applies to the processing of personal data carried out by Member States in the course of the relevant procedures.** The roles of the Commission and of the Member States in relation to the processing of personal data in the procedures they are competent for need to be clearly defined in order to ensure a high level of protection.

¹ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39–98.

² Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016, p. 1–88.

(6a) As a general principle and with a view to minimising the exposure of personal data, the documents to be submitted in the course of the relevant procedures should not contain personal data. In cases where this is not possible, information that could contain personal data, such as contact details of natural persons, should be submitted in separate specific documents.

(6b) For the purpose of this Regulation, first and last name of natural persons and related contact details may appear in the documents the Commission and Member States process in the course of the procedures set out by this Regulation.

On the one hand, personal data may appear, albeit rarely, in the procedures for registration, amendment or cancellation of geographical indications and traditional specialities guaranteed, both at Member State and Commission level, where the name of the concerned producer group, or of the opponent, contains the name of a natural person. Personal data may also appear as part of the names of recognised producer groups, processed in relation to the designation of these groups and to the inclusion of their names in the Union register of geographical indications, as well as part of the names of product certification bodies, processed in the context of the control procedures for geographical indications and traditional specialities guaranteed, both at Member State and Commission level.

On the other hand, personal data are more likely to appear as part of the names of producers who are granted a transitional period in the framework of a procedure for registration or amendment of a geographical indication or of a traditional speciality guaranteed, both at Member State and Commission level. Personal data could also appear as part of the names of the producers included in the list of the producers of products designated by a geographical indication and in the tool delivering the certificates of compliance with the product specification, processed by Member States in the context of the control procedures for geographical indications.

The Commission and the Member States may, therefore, be obliged to process information that contains personal data, notably names of natural persons and related contact details.

- (6c) In any event, cases where it may happen, for the Commission and the Member States, to process ~~Processing of personal data~~ in accordance with this Regulation, mentioned above, are all justified by the ~~is lawful when it is necessary for the performance of tasks carried out in the public interests.~~

Properly carrying out ~~Pp~~ procedures for registration, amendment or cancellation of geographical indications and traditional specialities guaranteed **and control procedures** ~~carried out~~ in the framework of this Regulation, Regulation (EU) No 1308/2013 of the European Parliament and of the Council¹ and Regulation (EU) 2019/787 of the European Parliament and of the Council² **is necessary for the correct functioning of the system protecting geographical indications.** ~~should be properly carried out. Those procedures have a public nature. Information about the entities concerned is necessary to identify their responsibilities in the procedures and to ensure fair competition and level-playing field between the operators.~~ Processing references concerning applicants in a registration, amendment or cancellation procedure, opponents, beneficiaries of transitional periods and bodies and natural persons delegated for certain official control tasks, in the context of the procedures of registration, amendment or cancellation of geographical indications and traditional specialities guaranteed, is necessary for the correct management of these procedures. In addition, those procedures have a public nature. Transparency is necessary to allow fair competition between the operators and to publicly identify the private and public economic interests linked to these procedures.

¹ Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007, OJ L 347, 20.12.2013, p. 671–854.

² Regulation (EU) 2019/787 of the European Parliament and of the Council of 17 April 2019 on the definition, description, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs, the protection of geographical indications for spirit drinks, the use of ethyl alcohol and distillates of agricultural origin in alcoholic beverages, and repealing Regulation (EC) No 110/2008, OJ L 130, 17.5.2019, p. 1–54.

In addition, in some cases, processing the name of producers and producer groups is the necessary condition for them to pursue their interest or enjoy their rights. This may happen in relation to the granting of a transitional period, by the Member States or by the Commission, in the course of a procedure of registration or amendment of a geographical indication or traditional speciality guaranteed, to the designation of recognised producer groups and the inclusion of their names in the Union register of geographical indications, to the compilation of the list of the producers of products designated by a geographical indication kept by the Member States and to the setting and functioning of the system delivering the certificate of compliance with the product specification.

In all these cases, personal data processing is carried out in the public interest and, in some cases, also in the interest of the data subject.

(6d) In general, in accordance with this Regulation, information that may contain personal data is normally processed in the form of digital or paper documents that may be exchanged, between the Member States and the Commission or between the Member States and the concerned producers or persons, or archived. It is neither disclosed to third parties nor published.

However, in case of opposition procedures, in order to put in contact the applicant and the opponent in view of starting consultations and reaching an agreement, the Commission sends them each other contact details. Where the applicant or the opponent happen to be identified by a name containing a name of a natural person, name and contact details are personal data that need to be communicated to a third party. In addition, for the correct achievement of the objectives of the opposition procedure, the applicant should be made aware of all the information sent by the opponent to justify its opposition to the registration or amendment or cancellation.

In addition, the names of the applicants for amendment, persons requesting cancellation, producer groups, simple producers and beneficiaries of transitional period are published or made public. If personal data happen to be part of those names, that personal data should be also published.

In case of procedures for approval of a Union amendment the name of the applicant is to be published in the Official Journal in order to allow potential opponent to challenge its legitimate interest to apply for the Union amendment.

In case of procedures for cancellation, when the cancellation is requested by a natural or legal person resident or established in a third country, the name of the natural or legal person requesting cancellation is to be published in order identify the persons who have activated the procedure for cancellation and to allow potential opponent to challenge its legitimate interest to request cancellation.

In case of procedures for communication of standard amendment, when the standard amendment is communicated by a natural or legal person resident or established in a third country, the name of the natural or legal person communicating the standard amendment is to be published or made public in order to identify the persons who have communicated the amendment.

When encoding the information in the Union register of geographical indications, the name of the recognised produced group representative of the geographical indication should be made public in that register for reasons of transparency and to allow that group to demonstrate its qualification.

In case of publication of the list of the product specification bodies by the Member States, for geographical indications and traditional specialities guaranteed originating in their territory, and by the Commission, for geographical indications and traditional specialities guaranteed originating in third countries, the name of the product specification bodies is to be made public in order to allow full transparency of the control procedures.

In case of a Commission Regulation or a national act granting a transitional period to a producer to allow the use of a geographical indication or a traditional speciality guaranteed, the name of that producer should be mentioned in the Regulation or national act and made public in order to let it enjoy the granted right and guarantee a level-playing field.

~~With a view to minimising the exposure of personal data, the documents to be submitted in the course of the relevant procedures should as far as possible avoid requirements for submission of personal data. Nonetheless, the Commission and the Member States may need to process information that contain personal data, such as personal names and contact details. Within this framework, for **the good development of the procedures provided for in this Regulation** reasons of public interest and in accordance with Regulation (EU) 2018/1725, the Commission and the Member States should be allowed to **disclose to third parties or process/publish** such personal data, and to disclose or make it public when this is needed to identify applicants in a registration, amendment or cancellation procedure, opponents in an opposition procedure, beneficiaries of a transitional period granted to derogate to the protection of a registered name and bodies delegated to carry out the verification on compliance with product specification.~~

(6e) Documentation related to the registration of a geographical indication and of traditional speciality guaranteed, in digital or paper form, should be retained for a period of 10 years after cancellation in order to ensure historical information and to allow comparison with possible subsequent applications concerning the same or similar names. If personal data happen to be part of that documentation, that personal data should also be retained.

(7) For the purpose of applying Regulation (EU) 2018/1725 the Commission is the authority with whom the ~~owners of personal data~~ **subject** may exercise the related rights, by sending comments, raising questions or concerns, or submitting a complaint regarding the collection and use of the personal data. It should, therefore, be clarified that the Commission is considered the controller within the meaning of Regulation (EU) 2018/1725 in relation to the processing of personal data in the procedures for which it is responsible under this Regulation, Regulation (EU) No 1308/2013, Regulation (EU) 2019/787 and the provisions adopted pursuant thereto.

In case tasks related to the procedures provided for in this Regulation that may involve the processing of personal data are delegated to EUIPO, it should act as processor. It should carry out these tasks on behalf of the Commission and it should not have any margin to affect the purpose and the essential elements of the personal data processing.

(8) ~~Regulation (EU) 2016/679¹ of the European Parliament and of the Council applies to the processing of personal data carried out by Member States in the course of the relevant procedures. For the purpose of applying that Regulation~~ **(EU) 2016/679** the competent authorities of the Member States are the authorities with whom the ~~owners of personal data~~ **data subject** may exercise the related rights, by sending comments, raising questions or concerns, or submitting a complaint regarding the collection and use of the personal data. It should, therefore, be clarified that the Member States are considered controllers within the meaning of Regulation (EU) 2016/679 in relation to the processing of personal data in the procedures for which they are responsible under this Regulation, Regulation (EU) No 1308/2013, Regulation (EU) 2019/787 and the provisions adopted pursuant thereto.

¹——reference

(...)

- (10) In order to comply with the definition of agricultural products in the international framework, i.e. World Trade Organisation, the use of the combined nomenclature should be provided for geographical indications. **For the purpose of regulating the geographical indications for agricultural products and foodstuff, it is appropriate to define the agricultural products and foodstuffs concerned in such a way as to take into account the international regulatory framework, namely the WTO Agreement on Agriculture while respecting the scope of the agricultural products as listed in Annex I to TFEU. Therefore, reference to the combined nomenclature established by Regulation (EEC) No 2658/87 should be made. Thus, the agricultural products and foodstuff should include the products falling into the Chapters 1 to 24 of the combined nomenclature, including the products listed in Annex I to this Regulation, excluding, for public health reasons, tobacco.**

(...)

- (27) In order to avoid creating unfair conditions of competition, any producer, including a third-country producer, should be able to use a registered geographical indication, provided that the product concerned complies with the requirements of the relevant product specification or single document or an equivalent to the latter, i.e. ~~such as the a complete~~ summary of the product specification **for agricultural products and the main specifications of the technical file for spirit drinks**. The system set up by the Member States should also guarantee that producers complying with the rules are entitled to be covered by the verification of compliance of the product specification.

(...)

~~(36) — Online platforms have become increasingly used for sales of products, including of those designated as geographical indications, and in some cases they might represent an important space as regards preventing fraud. In this regard, this Regulation should establish rules to ensure appropriate labelling of products sold via online platforms, and to provide powers to Member States to disable access to the content that contravenes the rules. These rules should be without prejudice to Regulation (EU) No 2022/XX of the European Parliament and of the Council¹.~~

(...)

¹ — ~~Regulation (EU) [...] of the European Parliament and of the Council of [...] on a Single Market For Digital Services (DSA) and amending Directive 2000/31/EC (OJ L ..., XXX, dd/mm/yyyy, p. X).~~

(57) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards defining the technical presentation of, and online access to, the classification of the products designated by geographical indications according to the combined nomenclature; defining a harmonised presentation of sustainability undertakings; defining the format and online presentation of the accompanying documentation and providing for the exclusion or anonymisation of ~~protected~~ personal data; laying down detailed rules on procedures, the form and presentation of Union applications for registration, including for applications concerning more than one national territory; defining the format and online presentation of oppositions and official comments and providing for the exclusion or anonymisation of ~~protected~~ personal data; granting a transitional period to allow the use of a registered name alongside other names that would otherwise contravene with a registered name and extending such transitional period; rejecting the application; deciding on the registration of a geographical indication if an agreement has not been reached; registering of geographical indications pertaining to products of third countries that are protected in the Union under an international agreement, to which the Union is a contracting party; defining the content and presentation of the Union register of geographical indications; defining the format and online presentation of extracts from the Union register of geographical indications, and providing for the exclusion or anonymisation of ~~protected~~ personal data; laying down detailed rules on procedures, form and presentation of applications for a Union amendment and on procedures, the form and communication to the Commission of a standard amendment; cancelling the registration of a geographical indication; laying down detailed rules on procedures and form of the cancellation of a registration and on the presentation of the cancellation requests; establishing the Union symbols for geographical indications, defining the technical characteristics of the Union symbols and indications as well as the rules of their use on products marketed under a registered geographical indication, including rules concerning the appropriate linguistic versions to be used;

detailing the nature and the type of the information to be exchanged and the methods for exchanging information under mutual assistance for the purpose of controls and enforcement; laying down rules on the form of the product specification of geographical indications of agricultural products; defining the format and online presentation of the single document of geographical indications of agricultural products and providing for the exclusion or anonymisation of ~~protected~~ personal data; for traditional specialities guaranteed: laying down rules on the form of the product specification; laying down detailed rules on the form and content of the Union register of traditional specialities guaranteed; establishing the Union symbol of traditional specialities guaranteed; laying down rules for the uniform protection of the indications, abbreviations and the Union symbol, rules on their use and on the technical characteristics of the Union symbol; laying down procedural and formal requirements for the protection of traditional specialities guaranteed; laying down detailed rules on procedures, the form and presentation of applications for registration, including for applications concerning more than one national territory, of oppositions and of applications for amendments of a product specification and applications for cancellation of a registration; transitional periods for use of traditional specialities guaranteed; rejecting an application for registration; deciding on the registration of a traditional speciality guaranteed if an agreement has not been reached; cancelling the registration of a traditional speciality guaranteed; for optional quality terms and schemes: laying down technical details necessary for the notification of the optional quality terms and schemes; laying down rules related to forms, procedures or other technical details; laying down rules for the use of optional quality terms. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.

(...)

¹ OJ L 55, 28.2.2011, p. 13.

Title I

General provisions

Article 1

Subject matter

This Regulation lays down the rules on:

- (a) **designations of origin and geographical indications of wine, designations of origin and geographical indications of agricultural products, including foodstuffs, as defined in Article 5(1)(c), and geographical indications of**
geographical indications for wine, spirit drinks and agricultural products;
- (b) traditional specialities guaranteed and optional quality terms for agricultural products, **including foodstuffs, as defined in Article 53a.**

For the purpose of Titles I, II and V of this Regulation, with the exception of Chapter 6 of Title II, the term ‘geographical indications’ covers designations of origin and geographical indications of wine, designations of origin and geographical indications of agricultural products, including foodstuffs, as defined in Article 5(1)(c), and geographical indications of spirit drinks.*

Article 2

Definitions

1. For the purposes of this Regulation the following definitions shall apply:
 - (a) ‘producer group’ means any association, irrespective of its legal form, mainly composed of producers ~~or processors~~ of the same product;

* Moved from Art. 7(1)(a).

- (b) ‘traditional’ and ‘tradition’, associated with a product ~~originating in a geographical area~~, means proven historical usage by producers in a community for a period that allows transmission between generations; this period is to be at least 30 years and the said usage may embrace modifications necessitated by changing hygiene and safety practices;
- (c) ~~the definition of~~ ‘labelling’, **as defined** in Article 2(2), point (j), of Regulation (EU) No 1169/2011;
- (d) ‘production step’ means any stage of production, processing, preparation or ageing, up to the point where the product is ~~in a form~~ **ready** to be placed on the internal market;
- (e) ‘processed products’, **as defined in** ~~means food resulting from the processing of unprocessed products within the meaning of Article 2 (m) and (o) of Regulation 852/2004;~~
- (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:
- (i) the name of products which, although relating to the place, region or country where a product was originally produced or **placed on the** ~~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 **a** specific product;

- (h) 'plant variety denomination' means a ~~a~~ designation of a given variety, that is in common use or officially ~~registered~~ **accepted in a national or Union catalogue** pursuant to Council Directives 2002/53/EC¹, 2002/55/EC², 2008/90/EC³ or Council Regulation (EU) No 2100/94⁴, in the language or languages **in which** they are ~~so~~ used or listed, at the date of application for the registration of the geographical indication concerned;
- (i) 'animal breed denomination' means the names of breeds **covered by** ~~in the meaning of Article 2 of~~ Regulation (EU) 2016/1012 of the European Parliament and of the Council⁵ that are listed in breeding books or **corresponding books** ~~breeding registers~~. **For species not covered by that Regulation, it means names of breeds which are listed in breeding books or corresponding books under a national legislation.** **Such names shall be** in the language or languages **in which** they are ~~so~~ listed, at the date of application for the registration of the geographical indication concerned;
- (ia) 'combined nomenclature' means the goods nomenclature established by Article 1 of Regulation (EEC) No 2658/87; ***

¹ Council Directive 2002/53/EC of 13 June 2002 on the common catalogue of varieties of agricultural plant species (OJ L 193, 20.7.2002, p. 1).

² Council Directive 2002/55/EC of 13 June 2002 on the marketing of vegetable seed (OJ L 193, 20.7.2002, p. 33).

³ Council Directive 2008/90/EC of 29 September 2008 on the marketing of fruit plant propagating material and fruit plants intended for fruit production (OJ L 267, 8.10.2008, p. 8).

⁴ Council Regulation (EC) No 2100/94 of 27 July 1994 on Community plant variety rights (OJ L 227, 1.9.1994, p. 1)

⁵ Regulation (EU) 2016/1012 of the European Parliament and of the Council of 8 June 2016 on zootechnical and genealogical conditions for the breeding, trade in and entry into the Union of purebred breeding animals, hybrid breeding pigs and the germinal products thereof and amending Regulation (EU) No 652/2014, Council Directives 89/608/EEC and 90/425/EEC and repealing certain acts in the area of animal breeding ('Animal Breeding Regulation') (OJ L 171, 29.6.2016, p. 66).

* Moved from Art. 7

(ib) ‘recognised producer group’ means a formal association having legal personality and recognised by the competent national authorities as the sole group to act on behalf of all producers.*

1a. For the purpose of Title II and Title III Chapter 1, ‘producer’ means an operator whose activities are covered by the product specification.

Article 3

Data protection

1. The Commission and the Member States shall process and make public the personal data received in the course of the procedures for registration, approval of amendments, cancellation, opposition, granting of transitional period and control pursuant to this Regulation, Regulation (EU) No 1308/2013 and Regulation (EU) 2019/787, in accordance with Regulations (EU) 2018/1725 and (EU) 2016/679.
2. The Commission shall be a controller within the meaning of Regulation (EU) 2018/1725 in relation to the processing of personal data in the procedure it is competent for in accordance with Regulation (EU) 2019/787, ~~Commission Delegated Regulation (EU) 2021/1235[†]~~ **No 1308/2013** and this Regulation.
3. The competent authorities of the Member States shall be controllers within the meaning of Regulation (EU) 2016/679 in relation to the processing of personal data in the procedures they are competent for in accordance with Regulation (EU) 2019/787, ~~Delegated Regulation (EU) 2021/1235~~ **No 1308/2013** and this Regulation.

[†] ~~Commission Delegated Regulation (EU) 2021/1235 of 12 May 2021 supplementing Regulation (EU) 2019/787 of the European Parliament and of the Council with rules concerning applications for registration of geographical indications of spirit drinks, amendments to product specifications, cancellation of the registration and the register (OJ L 270, 29.7.2021, p. 1).~~

3a. EUIPO shall be a processor within the meaning of Regulation (EU) 2018/1725 in relation to the processing of personal data linked to the tasks that the Commission has delegated to it in accordance with Article 84.

Title II

Geographical indications

Chapter 1

General provisions

Article 4

Objectives

~~1.~~ This Title provides for a unitary and ~~exclusive~~**exhaustive** 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:

- (a) producers acting collectively have the necessary powers and responsibilities to manage their geographical indications, 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;
- (b) **generating added value by contributing to** fair competition for producers in the marketing chain, **a fair income for producers and contributing to the achievement of rural development policy objectives;**

- (c) consumers receive reliable information and a guarantee of authenticity of such products and can readily identify them in the marketplace including in electronic commerce;
- (d) efficient registration of geographical indications taking into account the appropriate protection of intellectual property rights; and
- (e) effective **controls**, enforcement and marketing throughout the Union, ~~including and~~ in electronic commerce, ensuring the integrity of the internal market.

Article 5

Scope

1. This Title covers:

a) wine, meaning the products referred to in Part II, points 1, 3 to 6, 8, 9, 11, 15 and 16 of Annex VII to Regulation (EU) No 1308/2013;*

b) spirit drinks, as defined in Article 2 of Regulation (EU) 2019/787; and

c) agricultural products, including foodstuffs and fishery and aquaculture products, listed under Chapters 1 to 23 of the combined nomenclature set out in Annex I to Council Regulation (EEC) No 2658/87¹, and the additional agricultural products under the combined nomenclature headings and codes set out in Annex I to this Regulation, except wine and spirit drinks.

* Part moved from Art. 7

¹ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

2. The registration and the protection of geographical indications is without prejudice to the obligation of producers to comply with other Union rules, in particular those relating to the placing of products on the market, sanitary and phytosanitary rules, the common organisation of the markets, the competition rules and the provision of food information to consumers.
3. Directive (EU) 2015/1535 of the European Parliament and of the Council¹ shall not apply to the system of geographical indications laid down in this Regulation.

Article 6

Classification

1. Products designated by geographical indications shall be classified according to the combined nomenclature at two, four or six digit level. Where a geographical indication covers products of more than one category, each entry shall be specified. Product classification shall only be used for registration, statistical and record keeping purposes. The said classification shall not be used to determine comparable products for the purposes of protection against direct and indirect commercial use referred to in Article 27(1), point (a).
2. The Commission may adopt implementing acts defining the technical presentation of, and online access to, the classification referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2)

¹ Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society services (OJ L 241, 17.9.2015, p. 1).

Article 7

Definitions

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

- (a) — ‘geographical indication’, unless otherwise stated, means designations of origin and geographical indications of wine, as defined in Article 93 of Regulation (EU) No 1308/2013, designations of origin and geographical indications of agricultural products, as defined in Article 48 of this Regulation and geographical indications of spirit drinks, as defined in Article 3(4) of Regulation (EU) 2019/787, that are applied for or entered in the Union register of geographical indications referred to in Article 23;*
- (b) — ‘wine’ means the products referred to in Part II, points 1, 3 to 6, 8, 9, 11, 15 and 16 of Annex VII to Regulation (EU) No 1308/2013;**
- (c) — ‘spirit drinks’ as defined in Article 2 of Regulation (EU) 2019/787;
- (d) — ‘agricultural products’ means products referred to in Article 5(1) excluding wine and spirit drinks;
- (e) — ‘combined nomenclature’ means the goods nomenclature established by Article 1 of Regulation (EEC) No 2658/87;***
- (f) — ‘recognised producer group’ means a formal association having legal personality and recognised by the competent national authorities as the sole group to act on behalf of all producers;****

* Moved to Art. 2

** Moved to Art. 5

*** Moved to Art. 2

**** Moved to Art. 2

(g) ~~‘producer’ means an operator engaged in any production step of a product protected by a geographical indication, including processing activities, covered by the product specification;~~

Chapter 2

Registration of geographical indications

Article 8

Applicant

1. Applications for the registration of geographical indications may only be submitted by a producer group **or a recognised producer group** of a product ('applicant producer group'), the name of which is proposed for registration. ~~Regional or local~~ **P**ublic bodies may help in the preparation of the application and in the related procedure.
2. An authority designated by a Member State may be deemed to be an applicant producer group for the purposes of this Title, with respect to geographical indications of a spirit drink, if it is not feasible for the producers concerned to form a group by reason of their number, geographical location or organisational characteristics. In such case, the application referred to in Article 9(2) shall state those reasons.
3. A single producer may be deemed to be an applicant producer group for the purposes of this Title where it is shown that both of the following conditions are fulfilled:
 - (a) the person concerned is the only producer willing to submit an application for the registration of a geographical indication; and

- (b) the geographical area concerned is defined by natural features without reference to property boundaries and has characteristics which differ appreciably from those of neighbouring areas or the characteristics of the product are different from those produced in neighbouring areas.
4. In the case of a geographical indication that designates a cross-border geographical area, several producer groups from different Member States or third countries may lodge a joint application for the registration of a geographical indication **in all Member States and third countries concerned**.

Article 9

National stage of the procedure of registration

1. An application for the registration of a geographical indication concerning a product originating in the Union shall be addressed to the competent authorities of the Member State in which the product originates.
2. The application referred to in paragraph (1) shall comprise:
 - (a) the product specification provided for in Article 11 ;
 - (b) the single document provided for in Article 13;
 - (c) the accompanying documents **tations** referred to in Article 14 ~~(1) points b), c) and d)~~.
3. The Member State shall scrutinise the application for registration in order to check that it meets the conditions for registration of the respective provisions for wine, spirit drinks or agricultural products as appropriate.

4. As part of the scrutiny referred to in paragraph (3), the Member State shall conduct a national opposition procedure. The national opposition procedure shall ensure publication of the application for registration and provide for a period of at least 2 months from the date of publication within which any natural or legal person having a legitimate interest and established or resident on the territory of the Member State in which the product concerned originates may lodge an opposition to the application for registration with that Member State.
5. The Member State shall establish the modalities of the opposition procedure. These modalities may include criteria for the admissibility of an opposition, a period of consultation between the applicant producer group and each opponent, and submission of a report from the applicant producer group on the outcome of the consultations including any changes the applicant producer group has made to the application for registration.
6. If, after the scrutiny of the application for registration and the assessment of the results of any opposition received and any changes to the application agreed with the applicant producer group, the Member State considers that the requirements of this Regulation are met, it may take a favourable decision and lodge ~~an Union~~ application **for registration at the Union stage** as referred to in Article 15.
7. The Member State shall ensure that its decision, be it favourable or not, is made public and that any natural or legal person having a legitimate interest has an opportunity to lodge an appeal. The Member State shall also ensure that the product specification on which its favourable decision is based is published, and shall provide electronic access to the product specification.

Article 9a*

Sustainability undertakings

1. A producer group may agree on sustainability undertakings to be adhered to in the production of the product designated by a geographical indication. Such undertakings shall aim to apply a sustainability standard higher than mandated by Union or national law and go beyond good practice in significant respects in terms of social, environmental or economic undertakings. Such undertakings shall be specific, shall take account of existing sustainable practices employed for products designated by geographical indications, and may refer to existing sustainability schemes.
2. Where the producer group decides that the sustainability undertakings referred to in paragraph (1) are mandatory for all producers of the product concerned, those undertakings shall be included in the product specification.
3. The sustainability undertakings referred to in paragraph 1 shall be without prejudice to requirements for compliance with hygiene, safety standards and competition rules.

Article 10

Transitional national protection

1. A Member State may, on a temporary basis, grant transitional protection to a name at national level, with effect from the date on which a Union application for registration is lodged with the Commission.
2. Such national protection shall cease on the date on which either the implementing act deciding on the application for registration, adopted in accordance with Article 22, enters into force or the application for registration is withdrawn.

* Moved from Art. 12

3. Where a name is not registered under this Regulation, the consequences of the transitional national protection shall be the sole responsibility of the Member State concerned.
4. The measures taken by Member States in accordance with this Article shall produce effects at national level only, and they shall have no effect on the internal market or in international trade.

Article 11

Product specification

For the purposes of this Title, the ‘product specification’ of a geographical indication shall be the document referred to in:

- (a) Article 94 of Regulation (EU) No 1308/2013 for wine;
- (b) Article 22 of Regulation (EU) 2019/787 for spirit drinks;
- (c) Article 51 of this Regulation for agricultural products.

*Article 12**

Sustainability undertakings

- ~~1. A producer group may agree on sustainability undertakings to be adhered to in the production of the product designated by a geographical indication. Such undertakings shall aim to apply a sustainability standard higher than mandated by Union or national law and go beyond good practice in significant respects in terms of social, environmental or economic undertakings. Such undertakings shall be specific, shall take account of existing sustainable practices employed for products designated by geographical indications, and may refer to existing sustainability schemes.~~

* Moved to Art. 9a

- ~~2. The sustainability undertakings referred to in paragraph (1) shall be included in the product specification.~~
- ~~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 13

Single document

1. The ‘single document’ for a geographical indication refers to:
 - (a) the document summarising the product specification referred to in Article ~~94~~95 of Regulation (EU) No 1308/2013 for wine;
 - (b) the document referred to in Article 23 of Regulation (EU) 2019/787 for spirit drinks;
 - (c) the document referred to in Article 52 of this Regulation for agricultural products.

Article 14

Accompanying documentation

1. The documentation accompanying the application for registration shall comprise:
 - (a) **where relevant**, information ~~concerning~~ **explaining** any proposed limitations on the use or on the protection of the geographical indication, and, ~~where relevant~~, any transitional measures, proposed by the applicant producer group ~~or by the national authorities notably following the national scrutiny and opposition procedure*~~;
 - (b) the name and contact details of the applicant producer group;
 - (c) the name and contact details of the competent authority and/or product certification body verifying compliance with the ~~provisions of the~~ product specification pursuant to:
 - (i) ~~Article 116a of Regulation (EU) No 1308/2013 as regards wine;~~
 - (ii) ~~Article 39 of this Regulation as regards agricultural products and spirit drinks;~~
 - (d) any other information deemed appropriate by the Member State, or by the applicant producer group where applicable.
2. ~~The Commission shall be empowered to adopt delegated acts in accordance with Article 84 supplementing this Regulation by provisions clarifying the requirements or listing additional items of the accompanying documentation to be supplied.~~

* Moved to Art. 15(1)(ca)

3. The Commission may adopt implementing acts defining the format and online presentation of the accompanying documentation provided for in paragraph (1), and on 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).

Article 15

Union application for registration at Union stage

1. For geographical indications concerning products originating in the Union, the Union application for registration shall comprise:
- (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;
 - (ca) information on any admissible opposition at national level and any transitional period granted or proposed by the national authorities following the national scrutiny and opposition procedure;* 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,

* Moved from Art. 14(1)(a)

- (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) **(b), (c), (ca) and (d)** or (2) **(c), (d) and (e)** 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) .

Article 16

Submission of the ~~Union~~ application for registration at Union stage

1. ~~An Union~~ application for the registration of a geographical indication shall be submitted **by the Member State concerned** to the Commission electronically, through a digital system. The digital system shall have the capacity to allow the submission of applications to national authorities of a Member State, and to be used by the Member State in its national procedure.
2. Where the application for registration relates to a geographical area outside the Union, the application shall be submitted to the Commission, either directly or via the authorities of the third country concerned. The digital system, referred to in paragraph 1, shall have the capacity to allow submission of applications by an applicant producer group established outside the Union and by national authorities in the third country concerned.
3. The **single document submitted under a** Union application for registration shall be made public by the Commission through the digital system referred to in paragraph (1).

Article 17

Scrutiny by the Commission and publication for opposition

1. The Commission shall ~~scrutinise~~ **examine** ~~any applications~~ for registration that it receives **in accordance with** ~~pursuant to Article 16(1) and (2).~~ **The Commission** ~~Such scrutiny shall~~ **check** ~~consist of a check that there are no manifest errors, that the~~ **applications contain the required** ~~information provided in accordance with Article 15 is complete and that the single document referred to in Article 13 is precise and technical in nature. It shall take into account the outcome of the national~~ **and that they do not contain manifest errors, taking into account the outcome of the scrutiny and opposition** ~~procedure carried out by the Member State concerned. It shall focus in particular on the single document referred to in Article 13.~~

2. **Option 1:**

Scrutiny ~~should~~**shall, as a general rule,** 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.

OR:

Option 2:

Within 6 months from the reception of the application, the Commission shall inform the applicant about the state of the scrutiny.

3. The Commission may ~~seek~~**request from the applicant any** supplementary information **or modification necessary to finalise its scrutiny**~~from the applicant.~~

4. Where, based on the scrutiny carried out pursuant to paragraph 1, the Commission considers that the conditions laid down in **Articles 29, 30, 31, 35, 48, 49(1) and (2) and 50 of this Regulation, and in Articles 93 and 100 of** Regulations (EU) No 1308/2013, and **in Article 3(4) of Regulation** (EU) 2019/787, as appropriate, are fulfilled, it shall **make** public~~sh~~ in the **electronic register of geographical indications protected under this Regulation (the ‘Union register of geographical indications’)** *Official Journal of the European Union* the single document and the reference to the publication of the product specification.

(...)

Article 18

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 **prejudice** the registration of a geographical indication.

2. The Commission shall be exempted from the obligation to meet the deadline to perform the scrutiny referred to in Article 17(2) and to inform the applicant of the reasons for the delay where it receives a communication from a Member State, concerning an application for registration in accordance with Article 9(6), which:*
- (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 **administrative or** judicial decision; or
 - (b) requests the Commission to suspend the scrutiny 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.
3. The exemption shall have effect until the Commission is informed by 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 Member State shall consider appropriate action such as withdrawal or modification of the Union application for registration, as necessary.

Article 19

Union opposition procedure and notice of comments

1. Within 3 months from the date of publication in the ~~Official Journal of the European Union~~ **Union register of geographical indications** of the single document and the reference to the product specification pursuant to Article 17(4), the authorities of a Member State or of a third country, or a natural or legal person having a legitimate interest, established or resident in a third country, may lodge an opposition or a notice of comments with the Commission.

* To be reviewed, depending on the option chosen for Art. 17(2)

2. Any natural or legal person having a legitimate interest, established or resident in a Member State other than the one from which the Union application for registration was submitted, may lodge an opposition with the Member State, in which it is established or resident, within a time limit permitting an opposition or notice of comments to be lodged pursuant to paragraph (1).
- 2a. A notice of comments shall contain additional information or point out any error in relation to the application for registration. It shall not confer any rights on the sender. It shall be taken into account by the Commission when deciding on the registration of a geographical indication.**
3. An opposition shall claim that the application ~~could infringe~~ the conditions laid down in this Regulation, **Section 2 of Chapter 1 of Title II of Part II of Regulations (EU) No 1308/2013 or Chapter 3 of Regulation (EU) 2019/787**, as appropriate, and give reasons. An opposition that does not contain the said claim shall be void.
4. The Commission shall check the admissibility of the opposition. If the Commission considers that the opposition is admissible, it shall, within 5 months from the date of publication ~~referred to in Article 17(4) in the Official Journal of the European Union~~ invite the ~~authority or the person that lodged the opposition~~ **opponent** and the ~~authority or the applicant producer group that lodged the application~~ to engage in appropriate consultations for a reasonable period that shall not exceed 3 months. **The Commission shall transmit to the applicant the opposition and all the documents provided by the opponent.** 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~~ **opponent** 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 **Regulation (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 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~~ **opponent** ~~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 scrutiny 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~~ **single document and a reference to the publication of the product specification** 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, t~~**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, ~~any notice of comments received~~ and any other matters arising subsequently to its scrutiny that may imply a change of the single document.

(...)

11. The Commission may adopt implementing acts defining the format and online presentation of oppositions and ~~official~~**notices of** 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).

Article 20

Grounds for opposition

1. An opposition lodged in accordance with Article 19 shall be admissible only if the opponent demonstrates that:
 - (a) the proposed geographical indication does not comply with the definition of the geographical indication or with the requirements referred to in this Regulation, **Section 2 of Chapter 1 of Title II of Part II of** Regulation (EU) No 1308/2013 or **Chapter 3 of** Regulation (EU) 2019/787 as the case may be; **or**
 - (b) registration of the proposed geographical indication would be prevented by one or more of the circumstances referred to in Article 29, Article 30, Article 31 or Article 49(1) ; **or**
 - (c) the registration of the proposed geographical indication would jeopardise the existence of an entirely or partly identical name or of a trade mark or the existence of products which have been legally on the market for at least 5 years preceding the date of the publication provided for in Article 17(4)-.
2. The admissibility of an opposition shall be assessed by the Commission in relation to the territory of the Union.

Transitional period for the use of geographical indications

1. The Commission may adopt implementing acts granting a transitional period of up to 5 years to enable, for products originating in a Member State or a third country the designation of which consists of or contains a name that contravenes Article 27(1), the continued use of that designation, under which they were marketed, provided that an admissible opposition, under Article 9(4) or Article 19, to the application for registration of the geographical indication whose protection is contravened shows that:
 - (a) the registration of the concerned geographical indication would jeopardise the existence of an entirely or partly identical name in the product designation; or
 - (b) such products have been legally marketed with that name in the product designation in the territory concerned for at least 5 years preceding the publication provided for in Article 17(4), point (a).
2. The implementing acts referred to in paragraph 1 shall be adopted in accordance with the examination procedure referred to in Article 53(2) except those where an admissible opposition is lodged under Article 9(4), which shall be adopted without applying that examination procedure.
3. The Commission may adopt implementing acts extending the transitional period granted under paragraph (1) up to 15 years, or allowing continued use for up to 15 years, provided it is additionally shown that:
 - (a) the name in the designation referred to in paragraph (1) of this Article has been in legal use consistently and fairly for at least 25 years before the application for registration of the concerned geographical indication was submitted to the Commission; **and**

- (b) the purpose of using the name in the designation referred to in paragraph (1) has not, at any time, been to profit from the reputation of the name of the product that has been registered as geographical indication; and
- (c) the consumer has not been or could not have been misled as to the true origin of the product.
4. The implementing acts referred to in paragraph 3 shall be adopted in accordance with the examination procedure referred to in Article 53(2) except those where an admissible opposition is lodged under Article 9(4), which shall be adopted without applying that examination procedure.
5. When using a designation referred to in paragraphs 1 and 3, the indication of the country of origin shall clearly and visibly appear on the labelling.
6. To overcome temporary difficulties with the long-term objective of ensuring that all producers of a product designated under a geographical indication in the area concerned comply with the related product specification, a Member State may grant a transitional period for compliance, of up to 10 years, with effect from the date on which the application is lodged with the Commission, provided that the operators concerned have legally marketed the products in question, using the names concerned continuously for at least 5 years preceding the lodging of the application to the authorities of that Member State and have referred to that fact in the national opposition procedure referred to in Article 9(4). **In cases where the time between the application for registration at Union stage and the registration of the name concerned exceeds 5 years, the Member State may extend the transitional period by up to 5 years.**
7. ~~p~~Paragraph (6) shall apply *mutatis mutandis* to a geographical indication referring to a geographical area situated in a third country, with the exception of the opposition procedure.

Commission decision on the application for registration

1. Where, on the basis of the information available to the Commission from the scrutiny carried out pursuant to Article 17, the Commission considers that any of the ~~requirements~~**conditions** referred therein is not fulfilled, it shall adopt implementing acts rejecting the application for registration. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2).
2. Where it receives **neither valid nor** admissible opposition, the Commission shall adopt implementing acts, without applying the procedure referred to in Article 53(2), registering the geographical indication. The Commission may take in-to account the notices of comments received in accordance with Article 19(1).
3. Where it receives an admissible opposition, the Commission shall, following the ~~consultations~~**procedure** referred to in Article 19(4) and taking into account the results thereof,
 - (a) adopt implementing acts registering the geographical indication without applying the procedure referred to in Article 53(2), if an agreement has been reached, after checking that the agreement complies with Union law, and, if necessary, amend the information published pursuant to Article 17(4) provided that such amendments are not substantial; or
 - (b) adopt implementing acts deciding on the application for registration, if an agreement has not been reached. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2).

4. The acts registering a geographical indication shall provide for any condition applicable to the registration and for the republication for information of the single document **published according to Article 17(4) and amended following the opposition procedure** published for opposition in the *Official Journal of the European Union* in case of any necessary amendments ~~that are not substantial~~ **other than those referred to in Article 19(7)**.
5. ~~Regulations of registration and d~~Decisions on rejection shall be published in the Official Journal of the European Union, L series.

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 a publicly accessible ~~electronic register of geographical indications protected under this Regulation (the ‘Union register of geographical indications’)~~. The register shall have three parts corresponding to geographical indications of wine, of spirit drinks and of agricultural products respectively.
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). As regards wine and agricultural products, unless specifically identified in those 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 **or transliterated** 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 Commission shall make public and regularly 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 for the period of validity of the geographical indication, and in case of cancellation for 10 years thereafter.
- (...)
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).

Article 24

Extracts from the Union register of geographical indications

1. Any person shall be able to download an official extract from the Union register of geographical indications that provides proof of registration of the geographical indication, and the relevant data including the date of application for the registration of the geographical indication or other priority date. This official extract may be used as an authentic certificate in legal proceedings, in a court of law, court of arbitration or similar body.

* Moved to Art. 46

2. Where a producer group has been recognised by the national authorities in accordance with Article 33, that group shall be identified as the ~~rights' holder~~ **representative of the producers of a product designated by a** of the geographical indication in the Union register of geographical indications and in the official extract referred to in paragraph (1).
3. The Commission may adopt implementing acts defining the format and online presentation of extracts from the Union register of geographical indications, 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).

Article 25

Amendments to a product specification

1. A producer group having a legitimate interest may apply for the approval of an amendment to the product specification of a registered geographical indication.
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 a Union amendment if it entails a change of the single document and:
 - (a) includes a change in the name, or in the use of the name, or, for wine and spirit drinks, in the category of product or products designated by the geographical indication, or, for spirit drinks, in the legal name; or

- (b) risks voiding 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 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.
6. Union amendments shall be approved by the Commission. The approval procedure shall follow, *mutatis mutandis*, the procedure laid down from Article 8 to Article 22.
7. Applications for Union amendments submitted by a third country or by producers 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 scrutinise the Union amendment only. Any standard amendments or temporary amendments shall be deemed as not having been submitted. The scrutiny of such applications shall focus on the proposed Union amendments. Where appropriate, the Commission or the Member State concerned may invite the applicant to modify other elements of the product specifications.

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

(...)

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).

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, **established or resident in a third country**, 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 for at least seven consecutive years.

~~2. The registration may also be cancelled on a request of a majority of producers of the product marketed under the registered name.~~ The Commission may also adopt implementing acts cancelling the registration at the request of the producers of the product marketed under the registered name.

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. Articles 9, ~~Articles from Article 15 to Article 19~~20 and ~~Article 22~~ shall apply *mutatis mutandis* to the cancellation procedure.

Oppositions shall be admissible only if they show continued commercial reliance by an interested person on the registered name.

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.

(...)

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).

(...)

Chapter 4

Controls and enforcement

Article 38

Scope

- ~~1. This Chapter covers controls and enforcement of geographical indications of spirit drinks and of agricultural products.~~
2. For the purposes of this Chapter, controls include:
 - (a) verification that a product designated by a geographical indication has been produced in compliance with the corresponding product specification; and
 - (b) ~~monitoring~~**verification** of the use of geographical indications in the marketplace.
- 2a. For the purposes of this Chapter, enforcement includes any action that aims to ensure compliance with Chapter 3 of Title II of this Regulation.**
3. When performing the controls and enforcement activities provided for in this Title, the responsible competent authorities and product certification bodies shall comply with the requirements laid down in Regulation (EU) 2017/625. However, Title VI, Chapter 1, of Regulation (EU) 2017/625 shall not apply to controls of geographical indications.

Article 39

Verification of compliance with the product specification

1. Member States shall draw up and keep up to date a list of producers of products designated by a geographical indication entered in the Union register of geographical indications originating in their territory.

Each operator wishing to participate in all or part of the production or, where relevant, packaging of a product bearing a geographical indication shall inform the competent authority referred to in paragraph (3)(a).

2. Producers are responsible for ~~internal~~**own** controls that ensure compliance with the product specification of products designated by geographical indications before the product is placed on the market.
3. In addition to ~~internal~~**own** controls referred to in paragraph 2, prior to placing on the market a product designated by a geographical indication and originating in the Union, third party verification of compliance with the product specification, shall be carried out by:
 - (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.

For the purpose of the application of point a), Article 4(2) and (4) and Article 5(1), (4) and (5) of Regulation (EU) 2017/625 of the European Parliament and of the Council shall apply.

In respect of geographical indications in the wine sector, verifications of compliance with the product specification shall be carried out annually both during the wine production and during or after conditioning.

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~~**If**, in accordance with the product specification, ~~an operation~~**production step covered by the product specification** 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~~**operation** takes place in the Union, the producers shall ~~be notified~~**it** to the competent authorities of the Member State where the ~~production step~~**operation** 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 may also contribute to those costs.

7a. The Commission shall adopt implementing acts concerning the following:

(a) the communication to be made by the third countries to the Commission;

(b) the checks and verification to be carried out by the Member States in the wine sector, including testing.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53.

Article 40

Public information on competent authorities and product certification bodies

1. Member States shall make public the names and addresses of the competent authorities and product certification bodies referred to in Article 39(3) **for each product designated by a geographical indication** and keep that information up-to-date.
2. The Commission shall make public the names and addresses of the competent authorities and product certification bodies referred to in Article 39(4) and update that information periodically.
3. The Commission may establish a digital portal where the names and addresses of the competent authorities and product certification bodies referred to in paragraphs 1 and 2 are made public.

Article 41

Accreditation of product certification bodies

1. The product certification bodies referred to in Article 39(3), point (b) and Article 39(4), point (b) shall comply with and be accredited in accordance with:
 - (a) European standard ISO/IEC 17065:2012 ‘Conformity assessment — Requirements for bodies certifying products, processes and services, including European standard ISO/IEC 17020:2012 ‘Conformity assessment — Requirements for the operation of various types of bodies performing inspection’; or
 - (aa) **European standard ISO/IEC 17020 ‘Conformity assessment — Requirements for the operation of various types of bodies performing inspection.**
 - (b) ~~other suitable, internationally recognised standards, including any revisions or amended versions of the European standards referred to in point (a).~~

2. Accreditation referred to in paragraph 1 shall be performed by an accreditation body recognised in accordance with Regulation (EC) No 765/2008, that is a member of European Accreditation, or by an accreditation body outside the Union that is a member of International Accreditation Forum.

Article 42

Controls-Verification and enforcement of the use of geographical indications in the marketplace

1. Member States shall designate one or more **competent enforcement authorities responsible for verification of and enforcement actions on the use of geographical indications after the product designated by a geographical indication has been placed on the market, which includes operations such as storage, transit and electronic commerce,** which **These authorities** may be the same as the competent authorities referred to in Article 39(3)(a), ~~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 authorities~~ **ies referred to in paragraph 1** shall **act** ~~carry out controls of products designated by geographical indications to ensure conformity with the product specification or the single document or an equivalent to the latter.~~
3. Member States shall take appropriate administrative and judicial steps to prevent or stop the use of names of products or services that are produced, ~~operated~~ **provided** or marketed in their territory, **or intended for export to third countries,** and that contravenes the protection of geographical indications provided for in Article 27 and Article 28.

4. ~~The~~**One** authority designated in accordance with paragraph 1 shall ~~coordinate enforcement of geographical indications~~ **facilitate the information exchange** among relevant departments, agencies and bodies, ~~including~~ **such as** police, anti-counterfeiting agencies, customs, intellectual property offices, food law authorities and retail inspectors, **to ensure efficient enforcement**.

Article 43

Obligations applicable to providers of intermediary services

1. ~~Sale of goods to which persons established in the Union have access, that contravenes Article 27, shall be considered illegal content within the meaning of Article 2, point (g) of Regulation (EU) 2022/xxx of the European Parliament and of the Council¹.~~
2. ~~Competent authorities of the Member States may issue an order to act in accordance with Article 8 of Regulation (EU) 2022/xxx against illegal content as referred to in paragraph 1 of this Article.~~
3. ~~Pursuant to Article 14 of Regulation (EU) 2022/xxx, any individual or entity may notify providers of hosting services of the presence of a specific content that is in breach Article 27 of this Regulation.~~
4. ~~This regulation is without prejudice to Regulation (EU) 2022/xxx.~~

Article 44

Mutual assistance and exchange of information

1. Member States shall assist each other for the purpose of carrying out the controls and enforcement provided for in this Chapter in accordance with Regulation (EU) 2017/625.

¹ ~~Regulation (EU) [...] of the European Parliament and of the Council of [...] on a Single Market For Digital Services (DSA) and amending Directive 2000/31/EC (OJ L ..., XXX, dd/mm/yyyy, p. X).~~

2. The Commission may adopt implementing acts detailing the nature and the type of the information to be exchanged **among Member States** and the methods for exchanging **that** information for the purpose of controls and enforcement under this Chapter. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2).
3. ~~Administrative assistance may include, where appropriate, and, by agreement between the competent authorities concerned, participation by the competent authorities of a Member State in on-the-spot checks that the competent authorities of another Member State perform.~~
4. ~~In case of a possible violation of protection conferred to a geographical indication, Member States shall take measures to facilitate the transmission, from law enforcement authorities, public prosecutors and judicial authorities, to the competent authorities referred in Article 39(3) of information on such possible violation.~~
5. ~~For the specific purpose of facilitating the exchange of information on non-compliance or fraud concerning registered geographical indications, Member States shall use the information management system established under Regulation (EU) 2017/625 or any other system that might be established in the future for that purpose.~~

Article 45

Certificates of compliance with the product specification~~authorisation to produce~~

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 **accorded**~~entitled to an official certificate~~ **of compliance with the product specification**, or other proof of certification, ~~of eligibility to produce the product designated by the geographical indication concerned in respect of the production steps performed by the said producer.~~

2. The proof of certification referred to in paragraph 1 shall be made available, on request, to **control and** enforcement authorities, **such as** 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 certification available to the public or to any person who requests such proof in the course of business.

2a. The Commission shall adopt implementing acts laying down detailed rules on the procedure for issuing and withdrawing the certificate or other proof of certification, its form, content, update, use, including in case of products originating in third countries.

(...)

Chapter 6

Designations of origin and Geographical indications of agricultural products

Article 48

Designations of origin and geographical indications of agricultural products

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. The following agricultural products are excluded from being the subject of a ~~protected~~ designation of origin or a ~~protected~~ geographical indication:
- (a) products that by their nature cannot be traded within the internal market and can only be consumed in or near their place of manufacture, such as in restaurants;
 - (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.
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 (2), point (b), ‘other characteristic’ may include traditional production practices, traditional product attributes and farming practices that protect environmental value including biodiversity, habitats, nationally recognised environmental zones **protected and conserved areas** and landscapes.
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 with regard to 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 factors.~~ **

Article 48a***

Specific rules on sourcing of feed and of raw materials, and on slaughtering

1. **In respect of products of animal origin the name of which is registered as a designation of origin, feed shall be sourced entirely from within the defined geographical area.**

* Moved to Art. 48a(3).

** Moved to Art. 48a(4).

*** Moved to Art. 46.

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

2. Any restrictions to 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).
3. 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.
4. The Commission shall be empowered to adopt delegated acts in accordance with Article 84 concerning restrictions and derogations with regard to 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 factors.

Article 49

Plant varieties and animal breeds

1. A name may not be registered as a geographical indication where it conflicts with a ~~denomination of a plant variety or animal breed~~ **denomination** and is likely to mislead the consumer as to the true identity or origin of the product designated by the geographical indication or cause confusion between products designated by the geographical indication and the variety or breed in question.

2. The conditions referred to in paragraph (1) shall be assessed in relation to the actual use of the names in conflict, including the use of the ~~denomination of the~~ plant variety or animal breed **denomination** outside its area of origin and the use of the denomination of a plant variety protected by Community plant variety rights.
3. This Regulation shall not prevent the placing on the market of a product that does not conform with the product specification of a registered geographical indication, the labelling of which includes the name or part of the name of that geographical indication, that contains or comprises the ~~denomination of a~~ plant variety or animal breed **denomination**, provided that the following conditions are met:
- (a) the product in question comprises or is derived from the variety or breed indicated;
 - (b) consumers are not misled;
 - (c) the usage of the ~~denomination of the~~ variety or breed **denomination** name constitutes fair competition;
 - (d) the usage **of the variety or breed denomination** does not exploit the reputation of the registered geographical indication; and
 - (e) the production and marketing of the product in question had spread beyond its area of origin prior to the date of application for registration of the geographical indication.
4. The Commission shall be empowered to adopt delegated acts in accordance with Article ~~84 concerning~~ **supplementing this Regulation with** rules for determining the use of ~~denominations of plant varieties~~ and animal breeds **denominations**.

*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 technically practicable, feed sourced from outside that area can be added, provided that the product quality or characteristic essentially due to the geographical environment are not affected. Feed sourced from outside the defined geographical area shall not exceed 50 % of dry matter on an annual basis.~~
- ~~3. Any restrictions to 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).~~

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~~A ~~product specification which shall include at least:~~
 - (a) the name to be protected as a designation of origin or geographical indication, **as it is** ~~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;~~

* Moved to Art. 48a(1) and (2).

- (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 traditional methods and specific practices used; as well as information concerning packaging, if the applicant **producer** 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.

2a. A product the name of which is registered as a designation of origin or a geographical indication shall comply with the corresponding product specification.

3. The Commission shall be empowered to adopt delegated acts in accordance with Article 84 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).

Article 52

Single document

1. The single document shall comprise:
- (a) the main points of the product specification, namely: the name **to be protected as a designation of origin or geographical indication**, a description of the product, including, where appropriate, specific rules concerning packaging and labelling and a concise definition of the geographical area;

- (b) a description of the link between the product and the geographical environment or geographical origin referred to in Article 51(1), point (f), including, where appropriate, the specific elements of the product description or production method justifying that link.
2. The Commission may adopt implementing acts defining the format and the online presentation of the single document provided for in paragraph 1 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).

~~Chapter 7~~

~~Procedural provisions~~

~~Article 53~~

~~Committee procedure~~

1. ~~The Commission shall be assisted by a committee, called the Geographical Indications Committee. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.~~
2. ~~Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.~~

Title III

Quality schemes Traditional specialities guaranteed and optional quality terms

Chapter O

Scope

Article 53a

Scope

This Title applies to agricultural products.

For the purposes of this Title, agricultural products mean agricultural products intended for human consumption listed in Annex I to the Treaty on the Functioning of the European Union and other agricultural products and foodstuffs listed in Annex II to this Regulation.

This Title 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.

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 and foodstuffs listed 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.~~

2. 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.

(...)

Exceptions for certain uses

1. The provisions of this Chapter shall be without prejudice to:
 - (a) the use of terms that are generic in the Union, even if the generic term is part of a name that is protected as a traditional speciality guaranteed;
 - (b) the placing on the market of products the labelling of which contains or comprises the denomination of a plant variety or animal breed used in good faith;
 - (c) the application of Union rules or those of Member States governing intellectual property, and in particular those concerning **designations of origin and** geographical indications and trade marks and rights granted under those rules.
 2. 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, conditions for use of plant variety and animal breed denominations for a traditional speciality guaranteed, and their relation to intellectual property rights referred to in this Article.
- (...)

Chapter 2

Optional quality terms

Article 74

Objective and scope

1. — A scheme for optional quality terms is established in order to facilitate the communication within the internal market on the value-adding characteristics or attributes of agricultural products by the producers thereof.

2. — ~~This Chapter covers agricultural products.~~

~~For the purposes of this Chapter, agricultural products means agricultural products intended for human consumption listed in Annex I to the Treaty and other agricultural products and foodstuffs listed 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.*~~

(...)

* This paragraph has been moved to Art. 53a.

Chapter 3

Procedural provisions

Article 80

Committee procedure

- ~~1. The Commission shall be assisted by a committee called the Agricultural Quality Committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.~~
- ~~2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.~~

(...)

Title V

Delegation of powers, procedural, transitional and final provisions

(...)

Article 84a

Committee procedure

- 1. The Commission shall be assisted by a committee, called the Geographical Indications and Traditional Specialities Guaranteed Committee. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.**
- 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.**

(...)

Article 86

Transitional provisions for pending applications and registered names

1. Rules applicable before the entry into force of this Regulation shall continue to apply to applications for registration, applications for approval of a Union amendment to the product specification and requests for cancellation of geographical indications received by the Commission before the date of entry into force of this Regulation.
2. However, Articles 19, 20, 21(1) to (5) and to Article 22 shall apply to those applications and requests for which the publication for opposition of the application for registration, of the application for approval of a Union amendment to the product specification or of the request for cancellation of a geographical indication in the EU Official Journal takes place after [date of the entry into force of this regulation].

2a. The provision on the extension of the transitional period referred to in Article 21(6) shall also apply in relation to transitional periods still ongoing on the date of the entry into force of this Regulation.

3. Rules applicable before the entry into force of this Regulation shall continue to apply to applications for registration, applications for approval of a Union amendment to the product specification and requests for cancellation of traditional specialities guaranteed received by the Commission before the date of entry into force of this Regulation.
4. However, Article 62 to Article 65 shall apply to those applications and requests for which the publication for opposition of the application for registration, of the application for approval of a Union amendment to the product specification or of the request of cancellation of a traditional speciality guaranteed in the EU Official Journal takes place after [date of the entry into force of this regulation].

(...)

ANNEX I

Additional agricultural products referred to in Article 5(1)

Products

CN Heading 25.01 (salt)

~~CN Code 29.05.43 (mannitol)~~

~~CN Code 29.05.44 (sorbitol)~~

~~CN Heading 32.03 (cochineal)~~

CN Heading 33.01 (essential oils)

CN Headings 35.01 to 35.05 (albuminoidal substances, modified starches, glues)

~~CN Code 38.09.10 (finishing agents)~~

~~CN Code 38.23.60 (sorbitol n.e.p.)~~

~~CN Headings 41.01 to 41.03 (hides and skins)~~

~~CN Heading 43.01 (raw furskins)~~

CN Heading 45.01 (cork)

~~CN Headings 50.01 to 50.03 (raw silk and silk waste)~~

~~CN Headings 51.01 to 51.03 (wool and animal hair)~~

~~CN Headings 52.01 to 52.03 (raw cotton, waste and cotton carded or combed)~~

CN Heading 53.01 (raw flax)

CN Heading 53.02 (raw hemp)

