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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	30 October 2024
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

No. Cion doc.:	C(2024) 8003 final
Subject:	COMMISSION DELEGATED REGULATION (EU) .../... of 30.10.2024 repealing Delegated Regulation (EU) 2021/1235 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

Delegations will find attached document C(2024) 8003 final.

Encl.: C(2024) 8003 final



Brussels, 30.10.2024
C(2024) 8003 final

COMMISSION DELEGATED REGULATION (EU) .../...

of 30.10.2024

repealing Delegated Regulation (EU) 2021/1235 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

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Regulation (EU) 2024/1143¹ of the European Parliament and of the Council establishes a new Union framework for geographical indications in the three agricultural sectors (wine, spirit drinks and agricultural products). It, therefore, amends or repeals, to the extent necessary, Regulations, which previously provided for separate frameworks in those sectors, notably Regulation (EU) No 1308/2013² for wines, Regulation (EU) 2019/787³ for spirit drinks and Regulation (EU) No 1151/2012⁴ for agricultural products and foodstuffs. In particular, Regulation (EU) 2024/1143 deleted, amended or replaced, where appropriate, the provisions of Regulation (EU) 2019/787 concerning geographical indications for spirit drinks and empowered the Commission to adopt delegated and implementing acts setting out new uniform procedure for the registration of geographical indications for all agricultural sectors concerned - wine, spirit drinks and agricultural products.

In consequence, the Commission shall, on the basis of the empowerments given in Regulation (EU) 2019/787, repeal the delegated and implementing acts adopted on the basis of the same Regulation (EU) 2019/787 - Commission Delegated Regulation (EU) 2021/1235⁵ and Commission Implementing Regulation (EU) 2021/1236⁶.

The purpose of this delegated act is to repeal Commission Delegated Regulation (EU) 2021/1235 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.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

Consultations, involving experts from all the 27 Member States have been carried out within the joint meetings of the Expert Group for Sustainability and Quality of Agriculture and Rural Development, the Expert Group for Agricultural Markets, in particular concerning aspects falling under the Single CMO Regulation - Subgroup Wine and the Expert Group for Agricultural Markets, in particular concerning aspects falling under the Single CMO Regulation – Spirit Drinks.

During these meetings, the Commission presented the text of the draft Delegated Regulation, but received no observations or comments, whether orally or in writing.

Thus, it has been concluded that there was a consensus on the draft Delegated Regulation.

The feedback mechanism took place on the Better Regulation Portal from 12 August 2024 to 9 September 2024 and no comment was received.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

This delegated act repeals Commission Delegated Regulation (EU) 2021/1235 supplementing Regulation (EU) 2019/787 of the European Parliament and of the Council with rules

¹ OJ L 2024/1143, 23.4.2024, ELI: <http://data.europa.eu/eli/reg/2024/1143/oj>

² OJ L 347, 20.12.2013, p. 671, ELI: <http://data.europa.eu/eli/reg/2013/1308/oj>

³ OJ L 130, 17.5.2019, p.1, ELI: <http://data.europa.eu/eli/reg/2019/787/oj>

⁴ OJ L 343, 14.12.2012, p.1, ELI: <http://data.europa.eu/eli/reg/2012/1151/oj>

⁵ OJ L 270, 29.7.2021, p.1, ELI: http://data.europa.eu/eli/reg_del/2021/1235/oj

⁶ OJ L 270, 29.7.2021, p. 10, ELI: http://data.europa.eu/eli/reg_impl/2021/1236/oj

concerning applications for registration of geographical indications of spirit drinks, amendments to product specifications, cancellation of the registration and the register.

COMMISSION DELEGATED REGULATION (EU) .../...

of 30.10.2024

repealing Delegated Regulation (EU) 2021/1235 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

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 110/2008¹, and in particular Article 41 thereof,

Whereas:

- (1) Regulation (EU) 2024/1143 of the European Parliament and of the Council² establishes one common Union framework for the registration and protection of geographical indications in three agricultural sectors (wine, spirit drinks and agricultural products). To this purpose, it amends or repeals, to the extent necessary, Regulations, which previously provided for separate frameworks in those sectors: Regulation (EU) No 1308/2013 of the European Parliament and of the Council³ has been amended as regards geographical indications in the wine sector, Regulation (EU) 2019/787 has been amended as regards geographical indications in the spirit drinks sector and Regulation (EU) No 1151/2012 of the European Parliament and of the Council⁴, concerning geographical indications in the agricultural products and foodstuffs sector, has been repealed.
- (2) Regulation (EU) 2024/1143 empowers the Commission to adopt delegated and implementing acts setting out uniform procedure for the registration of geographical indications for the agricultural sectors of wine, spirit drinks and agricultural products. As a result, delegated and implementing acts previously adopted on the basis of the empowerments given in the sectoral regulations have to be amended or repealed, to the

¹ OJ L 130, 17.5.2019, p. 1, ELI: <http://data.europa.eu/eli/reg/2019/787/oj>.

² Regulation (EU) 2024/1143 of the European Parliament and of the Council of 11 April 2024 on geographical indications for wine, spirit drinks and agricultural products, as well as traditional specialities guaranteed and optional quality terms for agricultural products, amending Regulations (EU) No 1308/2013, (EU) 2019/787 and (EU) 2019/1753 and repealing Regulation (EU) No 1151/2012 (OJ L 2024/1143, 23.4.2024, ELI: <http://data.europa.eu/eli/reg/2024/1143/oj>).

³ 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, ELI: <http://data.europa.eu/eli/reg/2013/1308/oj>).

⁴ Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1, ELI: <http://data.europa.eu/eli/reg/2012/1151/oj>).

extent necessary to bring them in conformity with Regulation (EU) 2024/1143 and its secondary legislation.

- (3) Commission Delegated Regulation (EU) 2021/1235⁵ supplements Regulation (EU) 2019/787, among others, with rules concerning applications for registration of geographical indications of spirit drinks, amendments to the product specifications, cancellation of the registration and the register. In the new Union framework for geographical indications, established by Regulation (EU) 2024/1143, covering three agricultural sectors (wine, spirit drinks and agricultural products), the rules included in Delegated Regulation (EU) 2021/1235 are exhaustively replaced, partly by certain provisions included in Regulation (EU) 2024/1143 and partly by the provisions included in Commission Delegated Regulation (EU) 2024/XXXX [OP: please insert the reference to C(2024)8001]⁶, that supplements Regulation (EU) 2024/1143 with rules concerning, among others, the procedures for Union amendments, and for approval and communication of standard and temporary amendments. Therefore, as regards the spirit drinks sector, Delegated Regulation (EU) 2021/1235 became obsolete and should be repealed as its provisions would be in conflict with the provisions adopted in Regulation (EU) 2024/1143 or in Delegated Regulation (EU) 2024/XXXX [OP: please insert the reference to C(2024)8001], which also apply to the spirit drinks sector,

HAS ADOPTED THIS REGULATION:

Article 1

Delegated Regulation (EU) 2021/1235 is repealed.

Article 2

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 30.10.2024

For the Commission
The President
Ursula VON DER LEYEN

⁵ 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, ELI: http://data.europa.eu/eli/reg_del/2021/1235/oj).

⁶ Commission Delegated Regulation (EU) 2024/XXXX [OP: please insert the reference to C(2024)8001].