



**Proposed amendment to the Commission proposal for a Regulation on agricultural product quality schemes**

The Organization for an International Geographical Indications Network (oriGIn) is an international network of geographical indications' producers representing 200 organizations from some 40 countries, including some of the best known European GIs. oriGIn promotes the recognition of the fundamental role of geographical indications in sustainable development and advocates for a more effective legal protection and enforcement of GIs at the national, regional and international level.

The list of the full members of oriGIn can be found in annex to this document (for further information, see <http://www.origin-gi.com>).

**Proposed amendments**

- ~~Cross-out words~~: words which should be deleted
- **Bold words**: proposed amendments

<b>Definitions</b>
--------------------

<b>Article 3 - point 6 a (new)</b>	<b>Amendment</b>
	<i><b>(6a) 'production step' means one of the following: production, processing or preparation.</b></i>

<b>Article 5 point 1 of the text proposed by the Commission</b>	<b>Amendment</b>
(a) 'designation of origin' is a name which identifies a product: <ul style="list-style-type: none"> <li>- originating in specific place, region or, in exceptional cases, a country,</li> <li>- where the quality or characteristics of the product are essentially or exclusively due to a particular geographical environment with its inherent natural and human factors, and</li> <li>- the production steps of which all take place in the same defined geographical area;</li> </ul>	(a) 'designation of origin' is a name which identifies a product: <ul style="list-style-type: none"> <li>- originating in specific place, region or, in exceptional cases, a country,</li> <li>- where the quality or characteristics of the product are essentially or exclusively due to a particular geographical environment with its inherent natural and human factors, and</li> <li>- <del>the production steps of which all take place in the same defined geographical area;</del></li> <li>- <b>the production, processing and preparation of which take place in the defined geographical area;</b></li> </ul>
(b) 'geographical indication' is a name which identifies a product:	(b) 'geographical indication' is a name which identifies a product:

<ul style="list-style-type: none"> <li>- originating in a specific place, region or country,</li> <li>- where a given quality, reputation or other characteristics of the product is attributable to that geographical origin, and</li> <li>- at least one of the production steps of which take place in the defined geographical area.</li> </ul> <p>In order to take into account the specificities related to certain sectors, the Commission may adopt, by means of delegated acts, restrictions and derogations regarding the steps of production which shall take place in the defined geographical area or regarding the sourcing of the raw materials.</p>	<ul style="list-style-type: none"> <li>- originating in a specific place, region or country,</li> <li>- where a given quality, reputation or other characteristics of the product is attributable to that geographical origin.</li> <li>- at least one of the <b>essential</b> production steps of which take place in the defined geographical area.</li> </ul> <p>In order to take into account the specificities related to certain sectors, the Commission may adopt, by means of delegated acts, restrictions and derogations regarding the steps of production which shall take place in the defined geographical area or regarding the sourcing of the raw materials.</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Justification:

*The current definition of PDO in Regulation 510/2006 should be maintained as it covers not only production but also “production, processing and preparation” of the product.*

*As for the PGI definition, it is important to ensure that one of the key production steps takes place in the area to maintain the credibility of the PGI concept.*

## Homonymous names

Article 6 of the text proposed by the Commission	Amendment
<p>3. A name proposed for registration that is wholly or partially homonymous with a name already entered in the Register established under Article 11 may be registered provided there is a sufficient distinction in practice between conditions of usage and presentation of the homonym registered subsequently and the name already registered in the register, so as to not mislead the consumer.</p>	<p>3. A name proposed for registration that is wholly or partially homonymous with a name already entered in the Register established under Article 11 may <b>not</b> be registered <b>provided unless</b> there is a sufficient distinction in practice between conditions of usage and presentation of the homonym registered subsequently and the name already registered in the register, so as to not mislead the consumer <b>into believing that products come from another territory even if the name is accurate as far as the actual territory, region or place of origin of the agricultural products or foodstuffs in question is concerned;</b></p>

Justification:

*This amendment aims at introducing more coherence with articles 22.4 and 23.3 of the WTO TRIPs Agreement.*

**Product specification**

<b>Article 7 of the text proposed by the Commission</b>	<b>Amendment</b>
<p>1. To be eligible for a protected designation of origin or a protected geographical indication, a product shall comply with a specification which shall include at least:</p> <p>(a) the name to be protected as designation of origin or geographical indication;</p> <p>(b) a description of the product, including the raw materials, if appropriate, and the principal physical, chemical, microbiological and organoleptic characteristics of the product ;</p>	<p>1. To be eligible for a protected designation of origin or a protected geographical indication, a product shall comply with a specification which shall include at least:</p> <p>(a) the name to be protected as designation of origin or geographical indication;</p> <p>(b) a description of the product, including the raw materials, if appropriate, and the principal physical, chemical, microbiological <b>or</b> organoleptic characteristics of the product;</p>

Justification:

*It is important to maintain the current provisions on this point which take into account the differences that exist between GI products with regard to the characteristics that are analysed.*

**Transitional national period**

<b>Article 9 of the text proposed by the Commission</b>	<b>Amendment</b>
<p>The Member State may, on a transitional basis only, grant protection to a name under this Regulation at national level, with effect from the date on which the application is lodged with the Commission.</p> <p>Such national protection shall cease on the date on which either a decision on registration under this Regulation is taken or the application is withdrawn.</p> <p>The consequences of such national protection, where a name is not registered under this Regulation, shall be the sole responsibility of the Member State concerned.</p>	<p>The Member State may, on a transitional basis only, grant protection to a name <b>or accept an amendment to a product specification</b> under this Regulation at national level, with effect from the date on which the application is lodged with the Commission.</p> <p>Such national protection shall cease on the date on which either a decision on registration under this Regulation is taken or the application is withdrawn.</p> <p>The consequences of such national protection, where a name is not registered under this Regulation, shall be the sole responsibility of the Member State concerned.</p>

Justification:

*A transitional national period should be available to cover not only the registration of a new PDO or PGI but also the request for the modification of a PDO or a PGI specification. This would ensure a status quo on this point.*

## Protection

Article 13 of the text proposed by the Commission	Amendment
<p>1. Registered names shall be protected against:</p> <p>(a) any direct or indirect commercial use of a registered name in respect of products not covered by the registration in so far as those products are comparable to the products registered under that name or in so far as using the name exploits the reputation of the protected name;</p> <p>(b) any misuse, imitation or evocation, even if the true origin of the product or service is indicated or if the protected name is translated or accompanied by an expression such as 'style', 'type', 'method', 'as produced in', 'imitation' or similar;</p> <p>(c) any other false or misleading indication as to the provenance, origin, nature or essential qualities of the product, on the inner or outer packaging, advertising material or documents relating to the product concerned, and the packing of the product in a container liable to convey a false impression as to its origin;</p> <p>(d) any other practice liable to mislead the consumer as to the true origin of the product.</p> <p>Where a protected denomination of origin or protected geographical indication contains within it the name of a product which is considered generic, the use of that generic name shall not be considered to be contrary to points (a) or (b) in the first subparagraph.</p> <p>2. Protected denomination of origin or protected geographical indication may not become generic.</p>	<p>1. Registered names shall be protected against:</p> <p>(a) any direct or indirect commercial use of a registered name in respect of products <b>or services</b> not covered by the registration in so far as those products <b>or services</b> are comparable to the products registered under that name or in so far as using the name exploits the reputation of the protected name, <b>including when used as an ingredient</b>;</p> <p>(b) any misuse, imitation or evocation, even if the true origin of the product or service is indicated or if the protected name is translated or accompanied by an expression such as 'style', 'type', 'method', 'as produced in', 'imitation' or similar, <b>in so far as those products or services are comparable to the products registered under that name or in so far as the misuse, imitation or evocation of the name exploits the reputation of the protected name, including when used as an ingredient</b>;</p> <p>(c) any other false or misleading indication as to the provenance, origin, nature or essential qualities of the product, on the inner or outer packaging, advertising material or documents relating to the product concerned, and the packing of the product in a container liable to convey a false impression as to its origin;</p> <p>(d) any other practice liable to mislead the consumer as to the true origin of the product.</p> <p>Where a protected denomination of origin or protected geographical indication contains within it the name of a product which is considered generic, the use of that generic name shall not be considered to be contrary to points (a) or (b) in the first subparagraph.</p> <p>2. Protected denomination of origin or protected geographical indication may not become generic.</p>

<p>3. Member States shall take the appropriate administrative and judicial steps to prevent or stop the unlawful use of protected denomination of origin and protected geographical indication as referred to in paragraph 1, in particular at the request of a producer as provided for in point (a) of Article 42.</p>	<p>Member States shall take the appropriate administrative and judicial steps to prevent or stop the unlawful use of protected denomination of origin and protected geographical indication as referred to in paragraph 1, in particular at the request of a producer as provided for in point (a) of Article 42.</p>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Justification:

*This amendment aims at reinforcing the protection of registered PDO/PGI names and at ensuring a greater coherence of the article. To that end, as the Commission has already proposed to introduce a reference to services in 1.b (commercial uses of the evocation/imitation, etc. of PDOs-PGIs in services), it is essential to include a reference to services in 1.a. The practice shows that, not only imitations, but the exact name of PDOs-PGIs is used by illegitimate parties to commercialize services. Likewise, as a difference has been made in 1.a between comparable and non comparable products, this should be reproduced in 1.b for the sake of coherence. Moreover, it is important to clarify that the protection conferred by the article covers situations where GIs are used as ingredients.*

**Relations between trademarks, designations of origin and geographical indications**

<b>Article 14 of the proposal</b>	<b>Amendment</b>
<p>1. Where a designation of origin or a geographical indication is registered under this Regulation, the registration of a trade mark the use of which would contravene Article 13 and which relates to a same type of product shall be refused if the application for registration of the trade mark is submitted after the date of submission of the registration application to the Commission. Trade marks registered in breach of the first subparagraph shall be invalidated.</p> <p>2. Without prejudice to Article 6(4), a trade mark the use of which contravenes Article 13 which has been applied for, registered, or established by use, if that possibility is provided for by the legislation concerned, in good faith within the territory of the European Union, before the date on which the application for protection of the designation of origin or geographical indication is submitted to the Commission, may continue to be used and renewed for that product notwithstanding the registration of a designation of origin or geographical indication, provided that no grounds for its invalidity or revocation exist under Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark or under Directive 2008/95/EC. In such cases, the use of the protected designation of origin or protected geographical indication shall be permitted as well as use of the relevant trade marks.</p> <p>3. The provisions of paragraph 1 shall apply notwithstanding the provisions of Directive 2008/95/EC.</p>	<p>1. Where a designation of origin or a geographical indication is registered under this Regulation, <b>the application</b> for registration of a trademark the use of which would contravene Article 13 of this Regulation <del>and which relates to a same type of product</del> shall be refused if the application for registration of the trademark is submitted after the date of submission of the registration application to the Commission. Trade marks registered in breach of the first subparagraph shall be invalidated.</p> <p>2. Without prejudice to Article 6(4), a trade mark the use of which contravenes Article 13 which has been applied for, registered, or established by use, if that possibility is provided for by the legislation concerned, in good faith within the territory of the European Union, before the date on which the application for protection of the designation of origin or geographical indication is submitted to the Commission, may continue to be used and renewed for that product notwithstanding the registration of a designation of origin or geographical indication, provided that no grounds for its invalidity or revocation exist under Council Directive (RC) n°207/2009 or under Directive 2008/95/EC. In such cases, the use of the protected designation of origin or protected geographical indication shall be permitted as well as use of the relevant trade marks.</p> <p>3. The provisions of paragraph 1 <b>and 2</b> shall apply notwithstanding the provisions of Directive 2008/95/EC.</p>

Justification:

*This amendment aims at defining clearer rules as regards to the relations between trademarks and PDO/PGI.*

*Under the current provisions, PDO and PGI producers do not have to oppose problematic trademark registration requests. This should be done automatically by the trademark offices when a trademark conflicts with registered PDO/PGIs. The Commission proposal would change this and require PDO and PGI producers to intervene in the procedure to oppose registration requests as the reference is made to “the registration of a trade mark”, rather*





*than “the application for registration”. It is therefore essential to keep the current wording and to extend the protection beyond the same class of products.*

**Role of the groups**

<b>Article 42 of the text proposed by the Commission</b>	<b>Amendment</b>
<p>Without prejudice to specific provisions on producer organisations and inter-branch organisations as laid down in Regulation (EC) No 1234/2007, a group is entitled to:</p> <p>(a) contribute to ensuring that the quality of their products is guaranteed on the market by monitoring the use of the name in trade and, if necessary, informing competent authorities as referred to in Article 33, within the framework of Article 13(3);</p> <p>(b) develop information and promotion activities aiming at communicating the value adding attributes of the product to consumers;</p> <p>(c) develop activities related to ensuring compliance of a product with its specification;</p> <p>(d) take action to improve the performance of the scheme, including developing economic expertise, carrying out economic analyses, disseminating economic information on the scheme and providing advice to producers.</p>	<p>Without prejudice to specific provisions on producer organisations and inter-branch organisations as laid down in Regulation (EC) No 1234/2007, a group is entitled to:</p> <p>(a) contribute to ensuring that the quality, <b>reputation and authenticity</b> of their products is guaranteed on the market by monitoring the use of the name in trade and, if necessary, informing competent authorities as referred to in Article 33, <b>or any other competent authority</b>, within the framework of Article 13(3);</p> <p>(b) develop information and promotion activities aiming at communicating the value adding attributes of the product to consumers;</p> <p>(c) develop activities related to ensuring compliance of a product with its specification;</p> <p>(d) take action to improve the performance of the scheme, including developing economic expertise, carrying out economic analyses, disseminating economic information on the scheme and providing advice to producers.</p>

<b>Article 42 of the text proposed by the Commission</b>	<b>Amendment</b>
<p>Without prejudice to specific provisions on producer organisations and inter-branch organisations as laid down in Regulation (EC) No 1234/2007, a group is entitled to:</p> <p>(a) contribute to ensuring that the quality of their products is guaranteed on the market by monitoring the use of the name in trade and, if necessary, informing competent authorities as referred to in Article 33, within the framework of Article 13(3);</p>	<p>Without prejudice to specific provisions on producer organisations and inter-branch organisations as laid down in Regulation (EC) No 1234/2007, a group is entitled to:</p> <p>(a) contribute to ensuring that the quality of their products is guaranteed on the market by monitoring the use of the name in trade and, if necessary, informing competent authorities as referred to in Article 33, within the framework of Article 13(3);</p> <p><b>(a) Bis Take action to ensure adequate legal protection of the protected denomination of origin or protected</b></p>

<p>(b) develop information and promotion activities aiming at communicating the value adding attributes of the product to consumers;</p> <p>(c) develop activities related to ensuring compliance of a product with its specification;</p> <p>(d) take action to improve the performance of the scheme, including developing economic expertise, carrying out economic analyses, disseminating economic information on the scheme and providing advice to producers.</p>	<p><b><i>geographical indication and other relevant intellectual property rights</i></b></p> <p>(b) develop information and promotion activities aiming at communicating the value adding attributes of the product to consumers;</p> <p>(c) develop activities related to ensuring compliance of a product with its specification;</p> <p>(d) take action to improve the performance of the scheme, including developing economic expertise, carrying out economic analyses, disseminating economic information on the scheme and providing advice to producers.</p>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<b>Article 42 of the text proposed by the Commission</b>	<b>Amendment</b>
<p>Without prejudice to specific provisions on producer organisations and inter-branch organisations as laid down in Regulation (EC) No 1234/2007, a group is entitled to:</p> <p>(a) contribute to ensuring that the quality of their products is guaranteed on the market by monitoring the use of the name in trade and, if necessary, informing competent authorities as referred to in Article 33, within the framework of Article 13(3);</p> <p>(b) develop information and promotion activities aiming at communicating the value adding attributes of the product to consumers;</p> <p>(c) develop activities related to ensuring compliance of a product with its specification;</p> <p>(d) take action to improve the performance of the scheme, including developing economic expertise, carrying out economic analyses,</p>	<p>Without prejudice to specific provisions on producer organisations and inter-branch organisations as laid down in Regulation (EC) No 1234/2007, a group is entitled to:</p> <p>(a) contribute to ensuring that the quality of their products is guaranteed on the market by monitoring the use of the name in trade and, if necessary, informing competent authorities as referred to in Article 33, within the framework of Article 13(3);</p> <p><b><i>(a) ter Define rules that set out the conditions under which the protected PDO or PGI name can be used in the sale's denomination of a prepared or a processed food, in accordance with Article 13 §1</i></b></p> <p>(b) develop information and promotion activities aiming at communicating the value adding attributes of the product to consumers;</p> <p>(c) develop activities related to ensuring compliance of a product with its specification;</p> <p>(d) take action to improve the performance of the scheme, including developing economic expertise, carrying out economic analyses,</p>

disseminating economic information on the scheme and providing advice to producers.	disseminating economic information on the scheme and providing advice to producers.
-------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------

Article 42 of the text proposed by the Commission	Amendment
<p>Without prejudice to specific provisions on producer organisations and inter-branch organisations as laid down in Regulation (EC) No 1234/2007, a group is entitled to:</p> <p>(a) contribute to ensuring that the quality of their products is guaranteed on the market by monitoring the use of the name in trade and, if necessary, informing competent authorities as referred to in Article 33, within the framework of Article 13(3);</p> <p>(b) develop information and promotion activities aiming at communicating the value adding attributes of the product to consumers;</p> <p>(c) develop activities related to ensuring compliance of a product with its specification;</p> <p>(d) take action to improve the performance of the scheme, including developing economic expertise, carrying out economic analyses, disseminating economic information on the scheme and providing advice to producers.</p>	<p>Without prejudice to specific provisions on producer organisations and inter-branch organisations as laid down in Regulation (EC) No 1234/2007, a group is entitled to:</p> <p>(a) contribute to ensuring that the quality of their products is guaranteed on the market by monitoring the use of the name in trade and, if necessary, informing competent authorities as referred to in Article 33, within the framework of Article 13(3);</p> <p>(b) develop information and promotion activities aiming at communicating the value adding attributes of the product to consumers;</p> <p>(c) develop activities related to ensuring compliance of a product with its specification;</p> <p>(d) take action to improve the performance of the scheme, including developing economic expertise, carrying out economic analyses, disseminating economic information on the scheme and providing advice to producers.</p> <p><b>(e) Ensure that production is planned and adjusted to demand, provided that it is authorized by the Member State concerned and applied in a proportionate and non discriminatory manner. Such measures shall aim at preventing or managing crisis and shall be notified to the European Commission by the Member State.</b></p>

Article 42 of the text proposed by the Commission	Amendment
<p>Without prejudice to specific provisions on producer organisations and inter-branch organisations as laid down in Regulation (EC) No 1234/2007, a group is entitled to:</p>	<p>Without prejudice to specific provisions on producer organisations and inter-branch organisations as laid down in Regulation (EC) No 1234/2007, a group is entitled to:</p>

<p>(a) contribute to ensuring that the quality of their products is guaranteed on the market by monitoring the use of the name in trade and, if necessary, informing competent authorities as referred to in Article 33, within the framework of Article 13(3);</p> <p>(b) develop information and promotion activities aiming at communicating the value adding attributes of the product to consumers;</p> <p>(c) develop activities related to ensuring compliance of a product with its specification;</p> <p>(d) take action to improve the performance of the scheme, including developing economic expertise, carrying out economic analyses, disseminating economic information on the scheme and providing advice to producers.</p>	<p>(a) contribute to ensuring that the quality of their products is guaranteed on the market by monitoring the use of the name in trade and, if necessary, informing competent authorities as referred to in Article 33, within the framework of Article 13(3);</p> <p>(b) develop information and promotion activities aiming at communicating the value adding attributes of the product to consumers;</p> <p>(c) develop activities related to ensuring compliance of a product with its specification;</p> <p>(d) take action to improve the performance of the scheme, including developing economic expertise, carrying out economic analyses, disseminating economic information on the scheme and providing advice to producers.</p> <p><b>Member States shall communicate to the Commission which shall make public, the name and address of the groups referred to in Article 3, paragraph 3, and update it periodically.</b></p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Justification:

*It is important to define very clearly the role of the group in charge of the PDO or PGI in order to strengthen the protection of PDO and PGI, and to enhance their economic development. A group shall in particular be given the right to act to prevent abuses on the market and to ensure that production is planned and adjusted to demand if authorised by the Member States. It is also important to keep a public and updated register of the groups at the EU level.*

Article 42 bis (NEW)	Article 42 bis (NEW)
	<p><b>1. In order to improve the functioning of the market of products with Protected Designation of Origin and Protected Geographical Indication in accordance with regulation (EC) n°510/2006, the Member States may authorise the groups to define rules regarding the adaptation of the volumes to the demand.</b></p> <p><b>2. These rules shall be proportionate to the pursued objective and:</b></p> <p><b>(a) May only cover the regulation</b></p>

	<p><i>of the offer and have as objective to adapt the offer of the product to the demand;</i></p> <p><i>(b) May not be made compulsory for more than five marketing years;</i></p> <p><i>(c) May not be prejudicial to the other operators in the concerned Member State or in the European Union;</i></p> <p><i>(d) May not relate to the transactions after the first placing on the market of the product;</i></p> <p><i>(e) Shall not allow the establishment of market prices;</i></p> <p><i>(f) Shall not lead to the unavailability of an excessive proportion of the concerned product, which would otherwise be available;</i></p> <p><i>(g) Shall not have as a consequence to prevent an operator from starting the production of the concerned product.</i></p> <p><b>3. The decisions and measures which are taken by the Member States during the year <math>n</math> in conformity with the provisions of this article shall be communicated to the European Commission before the 1<sup>st</sup> March of the year <math>n + 1</math>.</b></p> <p><b>4. The European Commission may ask a Member State to withdraw its decision if it considers that this decision limits the competition in a substantial part of the internal market, compromises the free movement of goods, or contravenes to the objectives of article 39 of the TFUE.</b></p>
--	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Delegated acts**

<b>Article 53 of the text proposed by the Commission</b>	<b>Amendment</b>
<p>1. The powers to adopt the delegated acts referred to in this Regulation shall be conferred on the Commission for an indeterminate period of time.</p> <p>As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.</p> <p>2. The delegation of powers referred to in paragraph 1 may be revoked at any time by the European Parliament or by the Council.</p> <p>The institution which has commenced an internal procedure for deciding whether to revoke the delegation of powers shall inform the other legislator and the Commission, at least one month before the final decision is taken, indicating the delegated powers which could be subject to revocation and possible reasons for a revocation.</p> <p>The decision of revocation shall put an end to the delegation of the powers specified in that decision. It shall take effect immediately or at a later date specified therein. It shall not affect the validity of the delegated acts already in force. It shall be published in the <i>Official Journal of the European Union</i>.</p> <p>3. The European Parliament and the Council may object to a delegated act within a period of two months from the date of notification. At the initiative of the European Parliament or the Council this period shall be extended by [two months].</p> <p>If, on expiry of that period, neither the European Parliament nor the Council has objected to the delegated act, it shall be published in the <i>Official Journal of the European Union</i> and shall enter into force at the date stated therein.</p> <p>The delegated act may be published in the Official Journal of the European Union and enter into force before the expiry of that period if the European Parliament and the Council have both informed the Commission</p>	<p>1. The powers to adopt the delegated acts referred to in this Regulation shall be conferred on the Commission for an indeterminate period of time.</p> <p><b><i>The Commission shall publish its proposed delegated acts in the Official Journal of the European Union at least three months before its adoption.</i></b></p> <p>As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.</p> <p>2. The delegation of powers referred to in paragraph 1 may be revoked at any time by the European Parliament or by the Council.</p> <p>The institution which has commenced an internal procedure for deciding whether to revoke the delegation of powers shall inform the other legislator and the Commission, at least one month before the final decision is taken, indicating the delegated powers which could be subject to revocation and possible reasons for a revocation.</p> <p>The decision of revocation shall put an end to the delegation of the powers specified in that decision. It shall take effect immediately or at a later date specified therein. It shall not affect the validity of the delegated acts already in force. It shall be published in the <i>Official Journal of the European Union</i>.</p> <p>3. The European Parliament and the Council may object to a delegated act within a period of two months from the date of notification. At the initiative of the European Parliament or the Council this period shall be extended by [two months].</p> <p>If, on expiry of that period, neither the European Parliament nor the Council has objected to the delegated act, it shall be published in the <i>Official Journal of the European Union</i> and shall enter into force at the date stated therein.</p> <p>The delegated act may be published in the</p>

<p>of their intention not to raise objections.</p> <p>If the European Parliament or the Council raises objections in respect of the delegated act, it shall not enter into force. The institution which has raised objections to the delegated act shall state the reasons therefore.</p>	<p>Official Journal of the European Union and enter into force before the expiry of that period if the European Parliament and the Council have both informed the Commission of their intention not to raise objections.</p> <p>If the European Parliament or the Council raises objections in respect of the delegated act, it shall not enter into force. The institution which has raised objections to the delegated act shall state the reasons therefore.</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Justification:

*Considering the fact that the Lisbon Treaty provides for the end of the comitology procedure, it is important that when the Commission adopts delegated acts, all stakeholders are made aware of its proposals before they are adopted.*



**Annex 1 – Scope of the regulation**

Annex I of the text proposed by the Commission	Amendment
ANNEX I Products referred to in Article 2(1)	ANNEX I Products referred to in Article 2(1)
<p>I. Designations of Origin and Geographical indications</p> <ul style="list-style-type: none"> <li>– beer,</li> <li>– chocolate and derived products,</li> <li>– bread, pastry, cakes, confectionery, biscuits and other baker's wares,</li> <li>– beverages made from plant extracts,</li> <li>– pasta,</li> <li>– salt,</li> <li>– natural gums and resins,</li> <li>– mustard paste,</li> <li>– hay,</li> <li>– essential oils,</li> <li>– cork,</li> <li>– cochineal,</li> <li>– flowers and ornamental plants,</li> <li>– cotton,</li> <li>– wool,</li> <li>– wicker,</li> <li>– scutched flax.</li> </ul>	<p>I. Designations of Origin and Geographical indications</p> <ul style="list-style-type: none"> <li>– beer,</li> <li>– chocolate and derived products,</li> <li>– bread, pastry, cakes, confectionery, biscuits and other baker's wares,</li> <li>– beverages made from plant extracts,</li> <li>– pasta,</li> <li>– salt,</li> <li>– natural gums and resins,</li> <li>– mustard paste,</li> <li>– hay,</li> <li>– essential oils,</li> <li>– <b>Vegetable oils of agricultural origin used for cosmetic purposes</b></li> <li>– cork,</li> <li>– cochineal,</li> <li>– flowers and ornamental plants,</li> <li>– cotton,</li> <li>– wool,</li> <li>– wicker,</li> <li>– scutched flax.</li> </ul>

Justification:

*Some products such as the Moroccan protected geographical indication “Argane oil” can be used as both a food and a cosmetic product. Under the current European legislation on PDO and PGI, “Argane oil” would not be able to secure full protection in the EU as the scope of Regulation 510/2006 is limited to a number of products and does not cover vegetable oils of agricultural origin used for cosmetic purposes. Considering the importance of protecting third countries’ geographical indications to promote further the GI concept throughout the world, a new category “Vegetable oils of agricultural origin used for cosmetic purposes” should be added to the Annex I of the future Regulation.*



## oriGIn's members

### **Brazil**

Associação dos Produtores de Arroz do Litoral Norte Gaúcho (APROARROZ)

### **Burkina Faso**

Association Burkinabé pour la Promotion de la Jeune Fille (ABPFJ)

### **Canada**

Conseil des Appellations Réservées et des Termes Valorisants (CARTV)

### **China**

China National Institute of Standardization (CNIS)

### **Colombia**

Federación Nacional de Cafeteros de Colombia

### **Croatia**

Slavonski domaci Kulin

### **Cuba**

Corporación Habanos SA

### **France**

Association des Fromages Traditionnels des Alpes Savoyardes (AFTALP)

Association IGP Foie Gras du Sud-Ouest

Comité Aquitain de l'Origine et de la Qualité (CAOC): Fromage Ossau-Iraty, Noix du Périgord, Piment d'Espelette, Fraises du Périgord, Kiwis de l'Adour, Asperges des Landes, Volaille des Landes, Volaille du Béarn, Volaille de Gascogne, Boeuf de Chalosse, Boeuf de Bazas, Agneau de Pauillac, Jambon de Bayonne, les produit des Landes avec Qualité Landes, GIE Herbivores Aquitaine, les fruits et légumes d'Aquitaine (interprofession Bassin Grand Sud Ouest BGSO), Association régionale des opérateurs bio d'Aquitaine (ARBIO)

Comité Interprofessionnel du Gruyère de Comté (CIGC)

Comité interprofessionnel du vin de Champagne (CIVC)

Confédération Générale des Producteurs de Lait de Brebis et des Industriels de Roquefort

Conseil National des Appellations d'Origine Laitières (CNAOL)

Fédération des Syndicats de Producteurs de Châteauneuf-du-Pape

Institut Nationale des Appellations d'Origine (INAO)

Syndicat du Pruneau d'Agen

### **Germany**

Bayerisches Brauerbund e.V (Bavarian Brewers Association)

### **Guatemala**

Asociación de Productores de Café Genuino Antigua (APCA)

Industrias Licoreras de Guatemala

### **Honduras**

Comité Asociación Denominación de Origen Café de Marcala (ADOPCAM)

### **India**

All India Rice Exporters Association (AIREA)

Tea Board of India

## **Italy**

Associazione Italiana Consorzi Indicazioni Geografiche (AICIG)  
Confederazione Italiana Agricoltori (CIA)  
Confederazione Nazionale COLDIRETTI  
Consorzio dell'Aceto Balsamico di Modena (CABM)  
Consorzio del Formaggio Parmigiano Reggiano  
Consorzio del Prosciutto di Parma  
Consorzio per la Tutela del Formaggio Mozzarella di Bufala Campana

## **Jamaica**

Coffee Industry Board of Jamaica

## **Kenya**

Coffee Board of Kenya  
Tea Board of Kenya

## **Mongolia**

Mongolian National Chamber of Commerce and Industry (MNCC)

## **Morocco**

Association Marocaine de l'Indication Géographique de l'Huile d'Argane (AMIGHA)  
Association National des Coopératives d'Argane (ANCA)

## **Mexico**

Comité Estatal Sistema Producto Chile del Estado de Yucatán A.C.  
Consejo Regulador Café Veracruz  
Consejo Regulador del Tequila (CRT)

## **Peru**

Consejo Regulador de la denominación de origen Pisco  
Instituto del Pisco y del Vino

## **Portugal**

Associação Nacional de Municípios e de Produtores para a Valorização e Qualificação dos Produtos Tradicionais Portugueses (QUALIFICA)

## **Serbia**

Ibar Development Association (IDA)

## **Spain**

Asociación Española de Denominaciones de Origen - ORIGEN ESPAÑA  
Consejo Regulador de la Denominación Especifica Bebidas Espirituosas de Alicante  
Consejo Regulador de la Denominación Especifica Cerezas de la Montaña de Alicante  
Consejo Regulador de la Denominación de Origen Jamón de Teruel  
Consejo Regulador de la Denominación de Origen Kaki Ribera del Xúquer  
Consejo Regulador de la Denominación de Origen Nísperos de callosa d'en Sarría  
Consejo Regulador de la Denominación de Origen Queso Manchego  
Consejo Regulador de la Denominación de Origen Valencia  
Consejo Regulador de la Indicación Geográfica Protegida Embutido de Requena  
Consejo Regulador de la Indicación Geográfica Protegida Jijona y Turrón de Alicante

**Switzerland**

Association Suisse des AOC-IGP

Chambre Valaisanne d'Agriculture: Association des Eaux-de-vie AOC du Valais, Association du Pain de Seigle Valaisan AOC, Association Raclette du Valais AOC, Association des Producteurs de Viande séchée du Valais IGP, Interprofession de la Vigne et du Vin du Valais  
Fédération de l'Industrie Horlogère suisse  
Interprofession Gruyère

**Turkey**

Erzincan Chamber of Commerce and Industry

**USA**

Idaho Potato Commission

Kona Coffee Farmers Association (KCFA)

**Venezuela**

Grupo de Investigación sobre Políticas Públicas de Propiedad Intelectual (G3PI)

**Vietnam**

Department of Science and Technology of Lang Son Province