



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT
Directorate B. Quality, Research & Innovation, Outreach
B.3. Geographical indications

Brussels
AGRI.DDG1.B.3/

NOTE FOR THE ATTENTION OF THE MEMBERS OF THE CMO COMMITTEE – WINE

Subject: Guide to applicants – How to compile wine PDO/PGI applications

Dear members of the CMO Committee (wine),

Please find herewith ‘Guide to applicants – How to compile wine PDO/PGI applications’. This document aims at assisting you with the preparation of applications to register a new wine name or to approve amendments to the product specifications.

Kind regards,

Commission européenne/Europese Commissie, 1049 Bruxelles/Brussel, BELGIQUE/BELGIË - Tel. +32 22991111
Office: L130 07/218 - Tel. direct line +32 22964913

Peggy.DIERYCKX-VISSCHERS@ec.europa.eu

GUIDE TO APPLICANTS

HOW TO COMPILE WINE PDO/PGI APPLICATIONS

This information is to assist national authorities in submitting to the Commission applications related to the registration of protected wine designations or amendments to the product specification in accordance with Article 96(5) of Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013. It has no legal or interpretive value and cannot replace, amend or modify the rules established by the legislation.

Important notice: It is advised to exclude all personal data (including person's names, personal telephone numbers and email addresses) and recommended to use, for example, generic email addresses and association/department names rather than private ones. Any personal data that is included is deemed to have been supplied pursuant to a legal process and is susceptible to due treatment for the purposes of managing a GI application and is liable to publication.

Personal data (if any) will be processed according to Regulation (EU) 2018/1725 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies.

Further information about how we process personal data is available in the following privacy statement: : https://ec.europa.eu/info/sites/info/files/food-farming-fisheries/food_safety_and_quality/documents/privacy-statement-gi-registers_en.pdf

GENERAL POINTS

Scope of the Single Document and of the product specification

The Single Document:

According to Article 94(1)(d) of Regulation (EU) No 1308/2013, the Single Document is a stand-alone summary of the product specification. Information explicitly requested includes, amongst others, the essential characteristics of the product, the link with the geographical area, a summary of each specific wine making practice, and of every additional obligatory condition or restriction (e.g. concerning bottling or labelling).

The single document is intended to be published in the Official Journal of the European Union in all official languages, as a stand-alone document. Accordingly, it has to be drafted as a concise legal text, keeping in mind the legal consequences it will have. References to annexes, national legislation and rules, EU legislation, maps or other documents should be avoided.

The Product Specification:

The product specification should be established, as far as possible, as a stand-alone document. References to annexes, national legislation and rules, EU legislation, maps or other documents should be kept to a minimum. The product specification must be precise and concrete and cover all obligatory elements listed in Article 94 (2) of Regulation (EU) No 1308/2013 and Article 4 of Delegated Regulation (EU) N° 2019/33.

The purpose of the product specification is to describe the production requirements of the specific wine. It is not the place to summarise or repeat all the existing rules related to the

production of PDO/PGI wines in general. For instance, it is not necessary to include in the product specification the rules related to organoleptic tasting (degustation) or fiscal or social rules applicable to the wine sector.

Basically, the product specification should include all the rules to be complied with that have a direct influence on the specific PDO or PGI wine product.

Additionally, the product specification should include other elements specifically listed in EU Regulations (such as information related to verification of compliance with the product specification).

Amendments to the product specification and/or single document

Union amendments:

Where a proposed amendment to the product specification is considered to be a Union amendment in line with article 14(1) of Delegated Regulation (EU) 2019/33, the rules for applications laid down in Article 94 and Articles 96 to 99 of Regulation (EU) No 1308/2013 shall apply *mutatis mutandis*.

An application for approval of Union amendments shall contain Union amendments exclusively.

The application for a Union Amendment shall contain, in addition to the consolidated and duly completed Single Document, the following information: which part of the product specifications and single document is to be amended, an exhaustive description of and the specific reasons for each of the amendments proposed, the name of the applicant and a description of the legitimate interest of the applicant as well as the electronic reference to the publication of the consolidated and duly completed product specification as modified (Article 9(1) of Implementing Regulation (EU) 2019/34). Information regarding the modified parts of the product specification and the Single Document will be published with the updated Single document for opposition procedure purposes.

Standard amendments:

Standard amendments are approved and made public by Member States to which the geographical area of the designation of origin or geographical indication relates. The Member State shall communicate standard amendments to the Commission not later than one month following the date on which the national decision of approval was made public. Such a communication shall provide a description of the standard amendments, a summary of the reasons for which the amendments are required and a demonstration that the proposed amendments qualify as standard in accordance with Article 14 of Delegated Regulation 2019/33. In case of a standard amendment that implies changes to the single document, the modified single document will be published in the Official Journal. If the standard amendment does not imply a change of the single document, the description of the standard amendment shall be made public by the Commission through eAmbrosia public module.

Amendments which include both amendments, those considered Union and those considered Standard:

It is advisable to first communicate the standard amendments to the Commission. After the submission via eAmbrosia, the Union amendment should be submitted. Respecting this order will allow for the single document, inserted in eAmbrosia screens, to always contain all changes (standard and Union) of the product specification – the single document will always be a consolidated version. If you submit the Union amendments first, you will be asked to consolidate the single document, i.e. include the changes due to the standard amendments in the single document, prior to the publication of the Union amendment in the EU Official Journal.

How eAmbrosia acts in case of consecutive amendments to the same product specification:

Once the Member State submits a Union amendment, which becomes subject to the Commission scrutiny, it will no longer be able to submit another Union amendment as long as the Commission scrutiny is on-going and the Commission Regulation approving the Union amendment is not published. If new changes to the product specification occurred during the scrutiny period, the Member State should include them in the on-going Union amendment. Contrary to this, the Member State may submit a Standard and a Temporary amendment at any time.

SPECIFIC POINTS

I. NAME AND TYPE

For PDOs, Article 93(1) of Regulation (EU) No 1308/2013 requires that a designation of origin is limited to the *name of a region* or the *name of a specific place*, and exceptionally the name of country. Therefore, a compound name consisting of a geographical name and an additional term (i.e. wine grape variety, colour, traditional term, etc.) is usually refused at the stage of legal review.

The exception allowed is a name "traditionally used" and falling under provision of Article 93(2) of Regulation (EU) No 1308/2013. In this case, evidence of use must be clearly indicated and explained within the "Description of link(s)" section of the product specification and the single document.

In addition, the box "traditionally used name" should be ticked in the eAmbrosia screen "General Information".

Furthermore, designations that consist solely of the applicant's family name or vineyard name and apply to the property of a single vineyard are very likely to be refused at the stage of legal review since PDO/PGI is a collective right. The use of the protected name has to be accessible to any producer/operator marketing the wine product that has been produced in conformity with the corresponding product specification (Article 103 of Regulation (EU) No 1308/2013). Applicants seeking to protect their family/business name or vineyard name are strongly advised to seek a trade mark registration.

However, in case a PDO or PGI, which consists of or contains the name of the holding of the single applicant producer, is accepted, other producers cannot be prevented from using that name provided that they comply with the product specification.

The name to be protected as a designation of origin or geographical indication shall be registered **only in the languages that are or were historically used** to describe the specific product in the demarcated geographical area (Article 2 (1) of Commission Delegated Regulation (EU) 2019/33).

The language version can be an official language of the EU or a language used in the Member State (other official languages in a Member State or a dialect).

The name of a designation of origin or a geographical indication shall be registered **in its original script**. Where the original script is not in Latin characters, a transcription in Latin characters shall be registered together with the name in its original script (Article 2(2) of Commission Delegated Regulation (EU) 2019/33).

More than one name in the same language may be registered for a Protected Designation of Origin (PDO) or a Protected Geographical Indication (PGI) in accordance with Article 93 of Regulation (EU) No 1308/2013. Such names should be synonymous and interchangeable.

If the PDO/PGI corresponds to the *name of a country*, the exceptional circumstances mentioned in Article 93(1) of Regulation (EU) 1308/2013 must be duly justified in the product specification and in the single document.

The name(s) to be registered will not include:

- Translation; however, the applicant may be reassured that protection extends to it under Article 103(2) of Regulation (EU) No 1308/2013;
- Name of a smaller or larger geographical unit that may feature as a labelling particular;
- Traditional term (see Article 112 of Regulation (EU) No 1308/2013 for listing of these).

Change of the registered name

A change of the registered name to which protection was conferred may be done by submitting a Union amendment. Such a change should be duly reflected, described and justified as it has consequences not only on intra-EU trade but also on the bilateral agreements between the EU and Third Countries in which the wine name might be included.

eAmbrosia allows for typing the modified name in a box, in the part “Description and reasons for amendments”. In case the name is modified in a way that another version of the name is added to the registered name, please type in the first box the existing registered name, and in the second box the new version of the name. In case that the existing registered name itself changes, then type in the box only the new version of the name.

II. CATEGORIES OF GRAPEVINE PRODUCTS

Wine categories:

The categories of grapevine products are defined in Annex VII, Part II to Regulation (EU) No 1308/2013.

In case of applications covering different categories of grapevine products, the details bearing out the link shall be demonstrated for each category of the grapevine products concerned (Article 5(2) of Commission Implementing Regulation (EU) 2019/34).

III. DESCRIPTION OF THE WINE

Description of the wine(s)

The description of the wine(s) in the single document must include the essential elements of the description of the wine(s) provided in the product specification, including the analytical and organoleptic (colour, aroma and taste) characteristics of the product concerned.

If the PDO or PGI name covers a range of wines, the description is needed for each one of them, which means that, depending on the production or ageing method, the grape varieties, or the quality, colour, it might be necessary to provide more than one description under this section. This description will be used to establish the link with the geographical area.

To create an additional description, click on the green “Plus” button under “Description of the wines” in eAmbrosia .

The description should be scientific in style, and using the language of a wine expert (an œnologue), a chemist and/or an agronomist/viticulturalist. Do not use public relations and tourist type language and avoid any claims of the qualities of the product that are unsubstantiated by scientific facts.

The description must enable the wine to be clearly and accurately identified. The description must be consistent with the information given under the eAmbrosia section "Link with the geographical area ", but should not be repetitive.

The description of the wine(s) shall cover:

- for PDO wines, its principal analytical and organoleptic characteristics;
- for PGI wines, its principal analytical characteristics as well as an evaluation or indication of its organoleptic characteristics.

The description should be drafted in a way to enable the body in charge of the analytical and organoleptic testing, foreseen in Article 19 of Commission Implementing Regulation (EU) 2019/34, to verify the conformity of the wine.

Analytical and organoleptic characteristics

The description of the analytical characteristics in the Single document shall include the essential elements of the analytical characteristics defined in the product specification. The template in eAmbrosia already suggests a table with certain values, which you are invited to fill in. In case you opt to leave any of the boxes in the table blank, it is required to indicate that the missing values are respecting by default the legal limitations provided in the EU legislation. For example, it could be indicated that the applicable minimum and maximum values will be the ones defined in Regulation (EU) No 1308/2013 and Commission Delegated Regulation (EU) 2019/934.

The compulsory analytical and organoleptic testing foreseen in Article 20 of Commission Implementing Regulation (EU) 2019/34 should cover the following characteristic properties:

- total and actual alcoholic strength,
- total sugars expressed in terms of fructose and glucose (including any sucrose, in the case of semi-sparkling and sparkling wines),
- total acidity,
- volatile acidity,
- total sulphur dioxide,
- carbon dioxide, in the case of semi-sparkling and sparkling wines,
- any other characteristic properties provided for in the Member State’s legislation or product specifications, and
- an organoleptic test covering visual appearance, odour and taste.

Derogations in case of sulphur dioxide and volatile acid content

In case the value for **sulphur dioxide** exceeds limits of EU Regulation, please refer to Part B of Annex I to Commission Delegated Regulation (EU) 2019/934 of 12 March 2019. As regards the sulphur dioxide content of wines, the list of derogations is contained in Point A.2 of the said Annex. For PDO and PGI wines, certain parts of this list may be amended to include new wines or where the production conditions of the wines (*already listed*) are amended or the designation of origin or geographical indication is changed. Member States shall send a request for derogation to the Commission in accordance with Commission Delegated Regulation (EU) 2017/1183 and provide all the necessary technical information for the wines concerned, including their product specifications and the annual quantities produced. Insofar as the Commission does not approve a derogation from this rule for the PDO/PGI wine, following a request from the Member State concerned to include further derogations (in line with point A.3 of Part B of Annex I), the part of the production of the PDO/PGI wine which does not respect the prescribed maximum total sulphur dioxide content cannot be placed on the market.

In case the value for volatile acidity exceeds the limits of EU Regulation, please refer to Part C of Annex I to Commission Delegated Regulation (EU) 2019/934. Point 3 of Part C of Annex I allows for Member States to grant derogations to these limits provided that certain requirements are fulfilled. Member States shall notify those derogations to the Commission in accordance with Delegated Regulation (EU) 2017/1183 and within one month following the date of granting the derogation. Insofar as the Commission does not receive the notification and make this information public on its website, the part of the production of the PDO/PGI wine which does not respect the prescribed maximum total volatile acidity content cannot be placed on the market.

In both cases above, for communication with the Commission, please use the following e-mail address:

AGRI-G2@ec.europa.eu

IV. WINE MAKING PRACTICES

Specific oenological practices

According to Article 94(2)(c) of Regulation (EU) No 1308/2013 and Article 5(1)(j) of Commission Implementing Regulation (EU) 2019/34, the description of the oenological practices in the Single document/Product Specification should include, where applicable, the *product specific* oenological practices used to make the wine or wines, as well as the relevant restrictions on making them.

There are three types of oenological practices:

- the specific oenological practices,
- the relevant restrictions on making the wines, and
- by extension, the viticultural practices (vine training systems, harvesting of wine grapes, etc.).

Maximum yields:

The maximum yields should be expressed either

- in kilogram of grape per hectare, or
- in hectolitre of the final product (wine) per hectare.

Depending on the production method of the products, it could be necessary to provide more than one maximum yield under this section. To create an additional maximum yield requirement, click on the green “Plus” button.

V. DEMARCATED GEOGRAPHICAL AREA

Definition of the demarcated area:

According to Article 6 of Commission Implementing Regulation (EU) 2019/34, the demarcated geographical area shall be defined in a precise way that presents no ambiguities, referring as far as possible to physical or administrative boundaries.

For instance, it could be described by reference to physical boundaries (e.g. rivers, roads, mountains, etc.) or administrative boundaries (e.g. provinces, cities, etc.). The description must be clear so that producers, the competent authorities and the control bodies can ascertain

whether operations are being carried out within the demarcated geographical area. General terms and descriptions should be avoided.

The geographical area must be delimited with regard to the link between the place and the product. A continuous and homogeneous area is preferable, in line with the peculiar characteristics of the environment, which is decisive to prove the link.

The localisation should preferably be completed by a geographical map that can be uploaded in eAmbrosia.

PDO/PGIs are to be understood as a **collective intellectual property right**, and therefore, demarcation of the geographical area which would only cover an individual vineyard owned by the applicant is usually refused at the stage of legal review of the application. In case that **the applicant is a single producer**, proof needs to be provided that the demarcated area presents natural (and human) factors significantly different from the surroundings, influencing the characteristics of the final product (wine) in comparison to the neighbouring area. Further, one would need to prove that the applicant is the only producer willing to submit an application (Article 3 of Commission Delegated Regulation (EU) 2019/33) and that there are other producers already established in the area or that there is a realistic possibility for other producers to establish in the area in the future.

The production must take place in the demarcated area (Article 93(1) of Regulation (EU) No 1308/2013). However, a derogation from this principle is laid down in Article 5 of Commission Delegated Regulation (EU) 2019/33. The legislation allows for several possibilities to derogate from the production in the demarcated area. In this respect, please consult also the section on "Further conditions".

VI. WINE GRAPE VARIETIES

The PDO/PGI shall be made from wine grape varieties classified according to Article 81 of Regulation (EU) No 1308/2013.

All the allowed wine grape varieties shall be mentioned in the product specification according to Article 94(2)(f) of Regulation (EU) No 1308/2013.

VII. DESCRIPTION OF THE LINK(S)

The description of the link:

- between the quality and characteristics of the product and the geographical environment (in the case of a PDO) (Article 93(1)(a)(i) of Regulation (EU) No 1308/2013);
- between the geographical origin and the relevant specific quality, reputation or other characteristics of the product (in the case of a PGI) (Article 93(1)(b)(i) of Regulation (EU) No 1308/2013)

is the core justification for the decision of the Commission to register the name as a PDO or a PGI. The "Link to the geographical area" is the most important section of the Single Document; it is the essence of the justification for granting intellectual property rights for the name. This section must show that the name is not merely a vague indication of provenance but the name of a specific product having an intrinsic link to the geographical area.

Therefore, the description of the link must be precise and specific and should avoid non-essential information. The information provided has to establish a clear link between the specific features of the geographical area and the typical characteristics of the wine.

Depending on the production or ageing method, the grape varieties, or the quality, colour, type of place, or a particular event linked to the history of the product, it could be necessary to provide more than one description under this section. There could be for example one section for each traditional term related to the PDO/PGI.

In case of applications covering different categories of grapevine products, the details bearing out the link shall be demonstrated for each of the grapevine products concerned (Article 5(2) of Commission Implementing Regulation (EU) 2019/34).

The description of the link with the geographical area in the single document shall include the essential elements of the description of the link with the geographical area provided in the product specification.

In case of application for a PGI, the description of the link should be accompanied by a statement indicating on which one of the given factors (specific quality, reputation or other characteristics attributable to the geographical origin of the product) the casual link is based on (Article 5(2)(b) of Commission Implementing Regulation (EU) 2019/34).

A. Details of the geographical area

(i) For PDO wines

For PDO wines, the details of the geographical area should cover the details of the geographical environment, and in particular its **inherent natural and human factors** to which the quality and characteristics of the product are essentially or exclusively linked (Article 93(1)(a)(i) of Regulation (EU) No 1308/2013 and 5(2)(a) of Commission Implementing Regulation (EU) 2019/34).

- Natural factors

Natural factors are the characteristics of the defined geographical area relevant to the link. These may include the pedo-climatic features, such as topography, climate, soil, rainfall, exposure, altitude, temperature changes during night and day, etc.

- Human factors

Human factors may include the "savoir faire" of the local producers or any other human influence that has an impact on the final quality of the product. The "savoir faire" must be a special and particular knowledge/skill: normal production is not sufficient.

(ii) For PGI wines

For PGI wines, the details of the geographical area should cover the description of the geographical environment. Such description may include the pedo-climatic features, such as topography, climate, soil, rainfall, exposure, altitude; or any elements that may have influence on the final quality of the product.

B. Product description

For PDO wines, this section should contain a summarized description of the quality/specific features of the wine. The description should be consistent with the section “Description of the wines”, section "Specific oenological practices", section "Demarcated geographical area", section "Maximum yields" and section "Wine grape variety or varieties".

For PGI wines, according to Article 5(2)(b) of Commission Implementing Regulation (EU) 2019/34, the single document should set out details of the quality, reputation or other specific characteristics of the product attributable to its geographical origin. This means for instance, a description of reputational elements (with supporting information, such as articles, monographies, cook books, restaurant menus, ...) or other distinct features that can link the product to the demarcated area. As for PDO wines, consistency with other sections of the product specifications/single document should be ensured.

C. Causal link

The causal interaction refers to the link between the features of the geographical area (with its inherent natural and/or human or other factors) and the quality, reputation or other specific characteristics (e.g. organoleptic/analytical) of the wine covered by the application (Article 5 (2) of Commission Implementing Regulation (EU) 2019/34). In this section, it should be clearly described how the geographical origin influences the quality of the wine (e.g. how the composition of the soil influences the acidity or how the presence of woods or large water surfaces cools down the temperature thereby affecting the ripening of the grapes, etc.).

As for reputation or other characteristics, the link with the geographical origin has to be clearly shown (for example, how the quality of the wine is influenced by favourable conditions for its production and how this contributed to the reputation of the wine).

Drafting suggestions:

 *Avoid subjective and non-precise descriptions such as "delicious", "perfect", "tasty", "beautiful", etc., and avoid exaggerations and unscientific superlatives: "best", "most sought after", etc.*

 *Mention the particular characteristics of the area, differentiating it from the surrounding areas, especially if the territory is neighbouring to another PDO/PGI area.*

❗ *Do not include features of the geographical area that have no influence on the specificity of the product. Do not include general or fanciful terminology, e.g. "beautiful landscape".*

❗ *Avoid general statements about "microclimate" and "low rainfall" etc. Statements should be precise: give average rainfall in mm (provided this is relevant to the specific product); explain which aspects of the climate give rise to the effects on the product; etc.*

❗ *Explanations should be consistent with section "Description of the wines" and section "Demarcation of the geographical area".*

VIII. FURTHER CONDITIONS

This section groups all the applicable requirements/conditions for the particular PDO/PGI which are not already mentioned elsewhere in the product specification.

However, requirements established in the national or EU legislation, which are generally applicable to the producers, irrespective of the concerned PDO or PGI, should **not** be described. Instead, this section should include the rules, which are **specific** only for the given PDO/PGI. If these rules change, the producers may have to apply for an amendment of the product specification.

Those requirements shall be objective, non-discriminatory and compatible with EU law. For instance, restrictions that impose the use of concrete operator/operators for certain services (e.g. bottling), or that require membership in an organisation that has power to refuse membership to an applicant, should be avoided.

The legal framework of the further conditions needs to be indicated:

Those requirements/conditions/derogations must be defined:

– in relation to EU legislation: for example, the specific requirements under section I of Chapter IV of Commission Delegated Regulation (EU) No 2019/33 or the derogations under Article 23 of Commission Delegated Regulation (EU) No 2019/33 enter into this category of legal framework;

– in relation to the national legislation: if the requirements/conditions are defined in the national legislation (and not at EU level), this category of legal framework shall be selected;

– in relation with the rules laid down by an organisation which manages the PDO/PGI, where foreseen by Member States: if the requirements/conditions are defined in the product specification by the organisation which manages the PDO/PGI (and neither at EU level, nor at national level), this category of legal framework shall be selected.

Several types of further conditions can occur:

(i) Derogation on the production in the demarcated geographical area

Pursuant to Article 93 of Regulation (EU) No 1308/2013 the production of PDO/PGI wines has to take place in the defined geographical area. However, Article 5 of Commission Delegated Regulation (EU) No 2019/33 defines certain conditions under which a product bearing a PDO or PGI may be made into wine outside of this area if the product specification so provides:

- production in an area in the immediate proximity of the demarcated area in question;
- production in an area located within the same administrative unit or within a neighbouring administrative unit, in conformity with national rules;
- in the case of a trans-border designation of origin or geographical indication, or where an agreement on control measures exists between two or more Member States or between one or more Member State(s) and one or more third country(-ies), production of PDO/PGI wine in an area situated in the immediate proximity of the demarcated area in question;

Two further derogations are foreseen in the same article of Commission Delegated Regulation (EU) 2019/33:

- a product may be made into sparkling wine or semi-sparkling wine bearing a PDO beyond the immediate proximity of the demarcated area in question, if this practice was in use prior to 1 March 1986. In this case, a proof should be provided that the practice existed prior to 1 March 1986.
- with regard to liqueur wines with the protected designation of origin ‘Málaga’ and ‘Jerez-Xérès-Sherry’, the must of raisined grapes to which neutral alcohol of vine origin has been added to prevent fermentation, obtained from Pedro Ximénez vine variety, may come from the ‘Montilla-Moriles’ region.

The single document should clearly indicate which ones of the above-mentioned situations applies and the area should be demarcated in a detailed, precise and unambiguous manner.

(ii) Packaging within the demarcated area

Bottling and packaging of PDO/PGI products is not a part of the production which has to take place in the demarcated area. In case such activities are restricted by product specifications, such provisions could be contrary to the principle of free movement of goods and contrary to the EU provisions in that respect. This is why Article 4(2) of Commission Delegated Regulation (EU) No 2019/33 requires specific justification of such restriction.

Where a product specification indicates that packaging of the product, including bottling, has to take place within the demarcated geographical area or within an area in the immediate proximity of the demarcated area in question, justification for this requirement shall be given ***in respect of the product concerned***. It shall also include a justification showing why, in the specific case, the packaging must take place in the particular 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.

The justification given should not be general, but focused on the product in question (e.g. qualities which might be damaged, possible problems of control of that specific product

because of specific requirements different to other products) and it should explain the reasons why such restriction is necessary.

In case of an amendment to the product specification, which introduces a bottling restriction, which was not imposed on producers before, a detailed justification, specific for this case should be provided, explaining why bottling in the area has now become necessary whereas this was not the case when the wine name was first protected as a PDO/PGI.

In case of exempting “traditional bottlers”, in order to protect the pre-existing rights of those who have traditionally carried out bottling outside of the demarcated production area, it should be noted that Article 94(2)(h) of Regulation (EU) No 1308/2013 states that requirements laid down in the product specifications must be objective, non-discriminatory and compatible with Union law. It should also be taken into account that Article 40(2) of the Treaty on the Functioning of the European Union provides that the common organisation of agricultural markets shall exclude any discrimination between producers or consumers within the Union. Therefore, such a condition will have to be very well justified in a satisfactory manner in order to avoid possible legal complaints by bottlers outside the area.

Also, note that justification of the requirement to bottle the wine within the geographical area may not be justified by a general reference to the professional commitment and skills of the production companies in the demarcated area. Such an argument is not acceptable as it presupposes that bottlers outside the region lack skills and professional commitment, and that checks by competent authorities / control bodies outside the borders of the demarcated area do not work.

(iii) Additional provisions relating to labelling

Based on Article 58(1) of Commission Delegated Regulation (EU) No 2019/33, the use of the particulars referred to hereafter may be rendered compulsory, prohibited or limited in the product specification:

- Vintage year (Article 49 of Commission Delegated Regulation (EU) No 2019/33);
- Name of wine grape variety (Article 50 of Commission Delegated Regulation (EU) 2019/33);
- Indication of the sugar content (Article 52 of Commission Delegated Regulation (EU) No 2019/33);
- Terms referring to certain production methods (Article 53 of Commission Delegated Regulation (EU) No 2019/33);
- Name of a smaller or larger geographical unit (Article 55 of Commission Delegated Regulation (EU) No 2019/33) and
- The Union symbol indicating the PDO or the PGI (Article 14 of Commission Implementing Regulation (EU) No 2019/34).

(iv) Others

This type of further condition should be selected if the requirements do not correspond to the types mentioned here above.

The further conditions in the single document shall include the essential elements of the further conditions provided in the product specification. Each individual requirement must be summarised individually in the single document.

OTHER INFORMATION

IX. GENERAL INFORMATION

A) Traditionally Used Names:

In case a name of a PDO is a “traditionally used name” pursuant to Article 93(2) of Regulation (EU) No 1308/2013, the corresponding box under ‘General Information’ should be ticked. For more information on “traditionally used names” see section I. (Name and Type).

B) Amendments to the product specification

Pursuant to Article 105 of Regulation (EU) No 1308/2013, an applicant satisfying the conditions laid down in Article 95 may apply for approval of an amendment to the product specification of a PDO or of a PGI.

In case of Union amendments and Standard amendments with a change to the single document, applications shall describe the requested amendments and state reasons for their introduction. Further, it should be clearly described which part of the product specification and single document (if any) has been modified.

X. CONTACT DETAILS

It is advised to exclude all personal data (including person’s names, personal telephone numbers and email addresses) and recommended to use, for example, generic email addresses and association/department names rather than private ones.

For further information on treatment of personal data, please consult the legal disclaimer

<https://webgate.ec.europa.eu/agriportal/awaiportal/APP/connector/1/213/href/AWAIPrivacyPolicy.pdf>

A) Applicant(s):

According to Article 95 of Regulation (EU) No 1308/2013, any interested group of producers, or in exceptional cases a single producer, may apply for the protection of a designation of origin or geographical indication.

There could be more than one applicant (for example, two producer organisations).

In line with Article 3 of Commission Delegated Regulation 2019/33, a single producer may be deemed an applicant within the meaning of Article 95(1) of Regulation (EU) No 1308/2013 if it is shown that:

- (a) the person concerned is the only producer willing to submit an application; and
- (b) the demarcated geographical area possesses characteristics which differ appreciably from those of neighbouring areas or the characteristics of the product are different from those produced in neighbouring areas.

These provisions could however not be used in a way to undermine the collective nature of the geographical indications system. Thus, a single producer who seeks a protection of its own vineyards, cannot be a successful applicant in the sense of the above provision.

Joint applications as defined in Article 95(3) of Regulation (EU) No 1308/2013 including several Member States, third states and (or) applicants from non-EU countries are also possible. Further rules for such applications can be found in Article 4 of Commission Implementing Regulation 2019/34.

Details regarding the applicant are included in eAmbrosia in the “Other Information” document, which is submitted together with the single document, but not published.

B) Intermediary(ies):

According to Article 96(5) of Regulation (EU) No 1308/2013, the Member State acts as intermediary and is responsible for the transmission of the technical files.

Details regarding the intermediary are included in eAmbrosia in the “Other Information” document, which is submitted together with the Single document, but not published.

C) Interested party(ies):

According to Article 95 Regulation (EU) No 1308/2013, other interested parties than the producers may participate in the application. This may cover local, regional or central entities, marketing operators, etc.

There could be more than one interested party.

Details regarding the interested parties are included in eAmbrosia in the “Other Information” document, which is submitted together with the Single document, but not published.

D) The Competent authority

According to Article 90(2) of Regulation (EU) No 1306/2013, Member State has to designate the Competent authority responsible for carrying out the checks in respect of the obligations laid down in Section II of Chapter I of Title II of Part 2 of Regulation (EU) No 1308/2013 in accordance with the criteria laid down in Article 4 of Regulation (EC) No 882/2004. It has to ensure that any operator complying with those obligations is entitled to be covered by a system of checks.

Details regarding the Competent authority are included in eAmbrosia in the “Other Information” document, which is submitted together with the Single document, but not published.

E) The Control body

According to Article 90(3) of Regulation (EU) No 1306/2013, annual verification of compliance with the product specification, during the production and during or after conditioning of the wine, shall be ensured by the Competent authority referred to in paragraph 2 or by one or more Control bodies within the meaning of point 5 of the second subparagraph of Article 2 of Regulation (EC) No 882/2004 operating as a product certification body in accordance with the criteria laid down in Article 5 of that Regulation.

Details regarding the Control body are included in eAmbrosia in the “Other Information” document, which is submitted together with the Single document, but not published.

XI. TRADITIONAL TERMS

Traditional Terms

The traditional terms listed under Article 112(a) of Regulation (EU) No 1308/2013 are used to designate in a Member State that the product has a protected designation of origin or a protected geographical indication.

The traditional terms listed under Article 112(b) of Regulation (EU) No 1308/2013 are used to designate the production or ageing method or the quality, colour, type of place, or a particular event linked to the history of the product with a protected designation of origin or a protected geographical indication.

XII. SUPPORTING MATERIALS

Compulsory information:

The table below gives an overview of the different documents and statements that need to be provided when submitting an application or communication to the Commission. Please check if all relevant elements are included in your submission before sending it to the Commission.

Elements to be included by type of application/communication	Application for protection	Application for Union amendment	Communication of Standard amendment	Communication of Temporary amendment
Declaration of conformity of application	X Art. 6 DA/Art. 2 IA	X Art. 15 DA	X Art.10(2) IA	X Art.11(2) IA
Electronic reference to the product specification	X Art. 2 IA	X Art. 9(1)(f) IA	X Art.10(1)(e) IA	
Certification Single Document is a faithful summary	X Art. 6 DA	X Art. 15 DA		
Reference to the protected name	X Art 94(1)(a) BA	X Art. 9(1)(a) IA	X Art.10(1)(a) IA	X Art.11(1)(a) IA
Name applicant	X Art 94(1)(b) BA	X Art. 9(1)(b) IA		
Legitimate interest		X Art. 9(1)(b) IA		
Heading product specification affected by the amendment		X Art. 9(1)(c) IA		
Description and reasons		X Art. 9(1)(d) IA	X Art.10(1)(b) IA	X Art.11(1)(b) IA
(Consolidated) Single Document	X Art. 94(1)(d) BA	X Art. 9(1)(e) IA	X Art.10(1)(d) IA	
Decision approving the amendment			X Art.10(1)(c) IA	
Electronic reference to publication of national decision				X Art.11(1)(c) IA

[In the table above the abbreviations refer to the following legislation: BA (Basic Act) = Regulation (EU) 1308/2013; IA (Implementing Act) = Commission Implementing Regulation (EU) 2019/34 and DA (Delegated Act) = Commission Delegated Regulation (EU) 2019/33]

Other document(s):

The Member State might attach here any additional statement, justification, and/or reasoning, which would allow for a better understanding of the application. Also maps of the demarcated geographical area can be added here.

XIII. LINK TO THE PRODUCT SPECIFICATION

The Member State shall include the electronic reference to the publication of the product specification referred to in Article 97 (3) of Regulation (EU) No 1308/2013.

Please make sure that you include a working internet link and always ensure that the link is updated and leads to the valid version of the product specification

XIV. LINK TO THE NATIONAL DECISION

According to Article 11 (1) (c) of Implementing Regulation (EU) 2019/34, the Member State shall include the electronic reference to the publication of the national decision approving the temporary amendment.