



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate F – Outreach, Research & Geographical Indications

Brussels,
AGRI.F.3/

Dear Madam,

Thank you for your email dated 28 May 2024 by which you are asking several questions concerning the provisions of the new Regulation (EU) 2024/1143 ⁽¹⁾.

As regards the accreditation of the product certification bodies and of the delegated bodies referred to in Article 39(4)(b) and Article 72(6)(b), respectively, of Regulation (EU) 2024/1143, the accreditation standards they must comply with are laid down in Article 41 and in Article 73, respectively, of the same regulation. As far as the delegation of official control tasks by the Member States is concerned, these provisions are complemented by the general rules concerning the delegation of certain official control tasks, laid down in Title II, Chapter III, of Regulation (EU) 2017/625 ⁽²⁾ (Official Controls Regulation).

You enquire why no postponement was provided for the application of Article 77 of Regulation (EU) 2024/1143, which concerns the possibility of operators of traditional specialities guaranteed to request an attestation of compliance with the product specification. The transitional period laid down in Article 45 of Regulation (EU) 2024/1143 for the issuing of the attestation of compliance with the product specification for operators of geographical indications is linked to the transitional period for the application of Article 39(1) of the same Regulation. This pertains to the obligation of the Member States to draw up and keep up-to-date a list of operators who perform activities subject to the obligations provided for in the product specifications of geographical

⁽¹⁾ 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.

⁽²⁾ Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC.

indications originating in their territory. This transitional period was requested by the Member States, and introduced by the co-legislators, only for geographical indications.

Finally, you ask under what conditions references to the old Regulation (EU) No 1151/2012 can be made in connection to the current certification services performed by control bodies with delegated powers. Having in view that Regulation (EU) 2024/1143 repealed Regulation (EU) No 1151/2012 and that it is applicable as of 13 May 2024, all the official control tasks carried out after this date under the scope of Article 38 and of Article 72 of the new regulation shall only refer to the legislation in force. References to the old Regulation (EU) No 1151/2012 may only be made in respect of controls performed before the date of 13 May 2024. Nonetheless, please note that the conditions for delegating official control tasks and the nature of such tasks for the purpose of verification of compliance with the product specification of geographical indications and of traditional specialities guaranteed remain essentially unchanged.

The above information is based solely on the facts set out in your letter of 28 May 2024, expresses the view of the Commission services and does not commit the European Commission. In the event of a dispute involving Union law it is, under the Treaty on the Functioning of the European Union, ultimately for the Court of Justice of the European Union to provide a definitive interpretation of the applicable Union law.

Yours faithfully,



Diego CANGA FANO