



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT
Directorate F – Outreach, Research & Geographical Indications
The Director

Brussels
AGRI.F.3/

Subject : Request of interpretation of Article 27 of Regulation (EU) 2024/1143, use of geographical indications designating a product used as an ingredient in the name of a processed product

Dear Madam,

Thank you for your email of 22 May 2024 requesting an interpretation of Regulation (EU) 2024/1143 ⁽¹⁾ as regards the new requirements for prepacked food producers to notify recognised producer groups with the intention to use the name of a geographical indication (GI) in the name of a processed product to which the product designated by the GI is an ingredient (Article 27).

In order to avoid any confusion, it is important to recall that the notification requirement introduced in the new GI Regulation only impacts processed food that uses a GI in the name of the product or on the label or advertisement, but not in the case of a product merely containing the GI as an ingredient without any additional use of the GI on the label or advertisement. Also, the notification obligation concerns only processed food that is prepacked and presupposes that a recognised producer group exists, that the Member State has communicated its name and address to the Commission and that the Commission has published that information, as foreseen by Article 33, point 8 of Regulation (EU) 2024/1143.

As long as the system of the recognised producer groups is not of application in the concerned Member State, the requirements referred above may not be applied. In the case of France, the *Organismes de Défense et de Gestion* are not, for the time being, considered as recognised producer groups under Regulation (EU) 2024/1143. The recognised producer groups will be formally identified by the Member States that will decide to apply the system of the recognised producer groups on the basis of the criteria set out in Article 33 of Regulation (EU) 2024/1143. They, therefore, will exist following a formal decision of the Member State.

Given the nature of these new provisions, there will inevitably be a time lag between the entry into force of the new GI Regulation and the publication by the Commission of a list

⁽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.

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of recognised producer groups (which will be done via the Register for geographical indications: <https://ec.europa.eu/agriculture/eambrosia/geographical-indications-register>), and even the implementation of the new notification obligation between producers of pre-existent prepacked processed food and GI recognised producer groups. Notification would be expected without undue delay once all the foregoing aspects are operational.

If the GI is already used in the name of the processed product when the obligation to notify the recognised producer group becomes applicable in the concerned Member States, the notification to the recognised producer group is however mandatory. This is not due to a retroactive effect of the provision but it is required to cover the future use of the GI.

In the meantime, for producers already using the name of a GI in their product name, label or advertisement, the new provisions do not imply that they should cease production until the publication of the name and address of a potential recognised producer group. They will however have to comply without undue delay with the three conditions listed in Article 27(1) of Regulation (EU) 2024/1143.

The above information is based solely on the facts set out in your email of 22 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