



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate F – Outreach, Research & Geographical Indications
The Director

Brussels
AGRI.F.3/


Dear Madam,

Thank you for your email dated 30 August 2024, in which you inquired about the implementation of Article 27(2) of Regulation (EU) 2024/1143. This article requires producers of prepacked food containing an ingredient designated by a geographical indication (GI), who wish to use that GI in the name of the prepacked food, to provide a prior written notification to a recognised producer group, where such a group exists for that GI.

You asked whether the Commission is aware of any Member State that has already established a system of recognised producer groups, or if the obligation to make a written notification to a recognised producer group only applies when the Commission has published an official list according to Article 33(8) of Regulation (EU) 2024/1143, and made the information publicly available (with names of recognised producer groups).

While some Member States may already have national systems that constitute, in substance, examples of recognised producer group systems (e.g. Italy), no recognised producer groups in accordance with Regulation (EU) 2024/1143 have yet been communicated to the Commission.

The notification obligation for producers of a prepacked food who want to use the GI in the name of that prepacked food, laid down in Article 27(2) 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(8) of Regulation (EU) 2024/1143.

    
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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 of recognised producer groups, and even the implementation of the new notification obligation between producers of pre-existent prepacked processed food and GI recognised producer groups. Notifications would be expected without undue delay once all the foregoing aspects are operational.

In the meantime, for producers already using the name of a GI in their product name, label or advertisement, they are however expected to comply without undue delay with the three conditions listed in Article 27(1) of Regulation (EU) 2024/1143, i.e. a) the processed product shall not contain any other product comparable to the ingredient designated by the geographical indication; b) the ingredient designated by the geographical indication shall be used in sufficient quantities to confer an essential characteristic on the processed product concerned; and c) the percentage of the ingredient designated by the geographical indication in the processed product shall be indicated in the label.

The above information is based solely on the facts as set out in your email of 30 August 2024 and expresses the view of the Commission services and does not commit the European Commission. In the event of a dispute involving European 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 European Union law.

Yours faithfully,



Diego CANGA FANO