



European Commission

Fact Sheet



EUROPEAN POLICY FOR QUALITY AGRICULTURAL PRODUCTS





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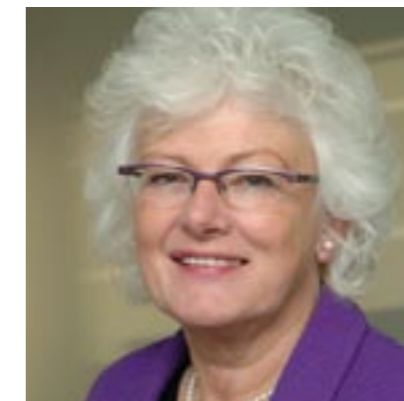
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Introduction

Europe is known for the diversity of its agriculture and its food and drink products. These products derive from Europe's natural environment and its farming methods, developed over centuries of agricultural activity. Food and drink products, together with fine cooking, are a major part of the cultural identity of Europe's peoples and regions. One of European agriculture's greatest assets is its reputation for producing quality foodstuffs.

Consumers in Europe and around the world show an increasing interest in the qualities of these foods. It is in the European Union's (EU's) interests to ensure that farmers and growers are able to make the most of the added value that their products can provide them. This is even more important following the 2003 and 2004 reforms of the Common Agricultural Policy (CAP) which mean that farmers are now more reliant than ever on obtaining the best financial return they can from the market place.

The EU plays a major role in enhancing high quality attributes and in sustaining this wide range of cultures and culinary traditions. The EU safeguards food quality in many ways, for example via measures to guarantee food safety and hygiene, clear labelling rules, regulations on animal and plant health and animal welfare, control of pesticide residues and additives in food and via nutritional information.



But the EU's quality policy goes further than this. The EU gives positive assistance to European producers to help them to maximise the advantage they have in quality terms. When a product acquires a reputation extending beyond its production region, it can find itself in competition with products which pass themselves off as the genuine article and take the same name. This unfair competition not only discourages producers but also misleads consumers. So, in 1992, the EU created systems known as PDO (Protected Designation of Origin), PGI (Protected Geographical Indication) and TSG (Traditional Speciality Guaranteed) to promote and protect valuable food names. In March 2006 these systems were updated and improved.

This fact sheet explains how these quality systems work, how they assist farmers and, above all, how they offer consumers guarantees that they have found the quality product they are looking for.

**Mariann Fischer Boel,
 Commissioner for Agriculture
 and Rural Development**



1. EU agricultural quality policy

Some EU Member States established their own rules to encourage and protect specific foodstuff names prior to 1992. However these rules were quite disparate throughout the late 1980s and early 1990s, the EU was in the process of completing the creation of its single and barrier-free internal market. Protecting producers of foodstuffs against attempts by others to exploit the reputation of their products was a major concern. Against this background, an EU-wide solution had to be found. This meant adopting a uniform approach, establishing fair conditions of competition between producers while not undermining quality schemes already in existence.

What is quality?

What constitutes 'quality' is a subjective matter in any walk of life, and especially where food is concerned. Quality attributes normally taken into account in an agricultural policy context, apart from the basic prerequisites of health and safety, and taste, relate to:

- Specific product characteristics, often linked to geographical origin or production zone (e.g. mountain areas), animal breed or production method (e.g. organic farming)
- Special ingredients
- Particular production methods often resulting from local expertise and traditions
- Observation of high environmental or animal welfare standards
- Processing, preparation, presentation and labelling in ways that enhance the attractiveness of the product for consumers.

Specific measures to encourage high quality products

Efforts to improve food quality have been part of EU agricultural policy, from the development of wine quality labelling in the 1980s onwards. In 1992 the EU introduced a system to protect and promote traditional and regional food products inspired by existing national systems, for example the French AOC (*Appellation d'Origine Contrôlée*) and the Italian DOC (*Denominazione d'Origine Controllata*) systems.

To capitalise on the value of certain products, the EU decided to protect their names, and to establish the conditions under which they could be used so that their specific and traditional character could be preserved. The EU's quality policy for agricultural products and foods aims to:

- Encourage diverse agricultural production
- Protect names from misuse and imitation
- Help consumers to understand the specific character of the products.

The EU protects by legislation particular product names which are linked to territory or to a production method. Purchasing an EU quality labelled product guarantees not only its quality but its authenticity (buyers can be sure that they are not buying an imitation product). Consumers and the food trade are increasingly interested in the geographical origin of food and other characteristics. The EU recognises this and has developed three 'quality logos'. Two of these have a strong geographical element; the third relates to traditional production methods. Each logo varies in the strictness of specifications that products must meet, but all share the common goal of furthering authenticity and sustainability.

EU quality systems in a global context

Protection of geographical indications and other quality traditions is necessary not only at EU level; measures are also needed to protect traditional products' names from around the world and inform consumers about the authenticity of the products. The future for many of Europe's farmers lies less in bulk commodity production, and more in quality products, which maximise the value of agricultural output.

The protection given to geographical indications at international level is considerably enhanced by the TRIPS Agreement¹. However, the EU believes it needs to be further consolidated for geographical indications. It is in consumers' interests to ensure that quality products are protected from the misleading use of their geographical names on other products, thus confusing consumers – whether in the EU or elsewhere in the world. This is why the EU is pushing within the World Trade Organisation (WTO) for tougher rules to protect quality and regional products. If not protected, the value of such products can be eroded and consumers short-changed.

¹ The Agreement on Trade-Related Aspects of Intellectual Property Rights (the TRIPS Agreement) was negotiated in the WTO as part of the Uruguay Round of Negotiations which were concluded on 15 April 1994.



Schwäbisch-Hällisches
Qualitätsschweinefleisch, PGI

2. What the EU means by quality product designations

Product designations fall into two categories: those linked to a territory and those relating to a particular production method. Geographical indications and designations of origin are names identifying a product as originating in a given territory, and testifying to a link between a given quality, reputation or characteristic of the product and its geographical origin.

Products linked to a territory – Geographical Indications (GIs)

The regulation² to protect the names of products whose specific character is determined by their geographical origin (protected designations of origin or 'PDOs', and protected geographical indications or 'PGIs') was designed so that products of this kind may live up to the expectations of consumers in two ways. Firstly, because many such products possess exceptional qualities of taste, flavour, etc. and, secondly, because the local methods used to produce them create a bond of trust between the consumer, the product, the place where it originates and the people living there who develop it. The two types of GI indicate different levels of connection with a geographical area.

Protected Designations of Origin (PDO)

Products bearing the PDO logo have proven characteristics resulting solely from the terrain and abilities of producers in the region of production with which they are associated. PDO products thus require all stages of the food production process to be carried out in the area concerned. There must be an objective and close link between the product's features and its geographical origin. Examples are 'Huile d'olive de Nyons', 'Queijo Serra da Estrela' and 'Shetland lamb'. In other words, only olive oil from a recognised area in the vicinity of Nyons in France, cheese from the designated area of Serra da Estrela in Portugal, and lamb born, raised and slaughtered in the Shetland Islands in the United Kingdom, all meeting exacting requirements, can qualify to use these names and the logo.

² Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs (OJ L93, 31.3.2006). This replaces Regulation (EEC) No 2081/1992

Protected Geographical Indications (PGI)

Products carrying the PGI logo have a specific characteristic or reputation associating them with a given area, and at least one stage in the production process must be carried out in that area, while the raw materials used in production may come from another region. Examples are 'Clare Island Salmon', 'Arancia Rossa di Sicilia' and 'Dortmunder Bier'. The only foodstuffs which can bear these names and the PGI logo are salmon from Clare Island in Ireland, blood oranges from Sicily and beer from the Dortmund area of Germany, all meeting particular quality specifications.

Geographic Indications – definitions

PDO (Protected Designation of Origin) means the name of a region, a specific place or, in exceptional cases, a country, used to describe an agricultural product or a foodstuff:

- originating in that region, specific place or country, and
- possessing quality or characteristics which are essentially or exclusively due to a particular geographical environment with its inherent natural and human factors, and
- the production, processing and preparation of which take place in the defined geographical area.

PGI (Protected Geographical Indication) means the name of a region, a specific place or, in exceptional cases, a country, used to describe an agricultural product or a foodstuff:

- originating in that region, specific place or country, and
- which possesses a specific quality or reputation or other characteristics attributable to that geographical origin, and
- the production and/or processing and/or preparation of which take place in the defined geographical area.

The geographic link is deeper for PDOs than for PGIs.



Products linked to a particular method of production

The **Traditional Speciality Guaranteed (TSG)** logo is used for products with distinctive features which either have traditional ingredients or are made using traditional methods. Among the product names in this group are 'Kalakukko' bread, 'Jamón Serrano' and 'Kriek' beer. These have been registered following requests from Finland, Spain and Belgium respectively however they can be used by any producer who follows the same specification. Their 'specific' character refers to the feature or set of features which distinguish them clearly from other similar products or foodstuffs belonging to the same category. This is covered by a separate specific Commission regulation³ and is examined in sheet 9.

Size of the quality market

Figures for registered designations show how big the market for these products has become. The EU now has over 700 geographical indications and designations of origin (not including those for wines and spirits). Moreover, in excess of 290 applications are being processed and may receive protection. Italy and France have the largest number of geographical indications, ahead of Spain, Portugal and Greece. The number of applications from the remaining countries has been rising over the last few years, showing their growing interest in the system.

For Traditional Specialities Guaranteed the number of names that have been registered is appreciably smaller. However, some products of considerable economic importance have acquired them (for example, 'Jamón Serrano').

What kind of products can benefit from a PDO/PGI?

Consumers can take a 'virtual tour' of Europe and find product names from every region that have attained the PDO, PGI or TSG quality mark. Virtually all agricultural products are covered. The regulations also cover some foodstuffs produced from agricultural commodities. Products range from the more obvious cheeses and meats to beers, fish and even nougat. Some agricultural products not intended for human consumption can also benefit from the quality designation system, for example ornamental plants, flowers, cork, hay, cochineal, wool, wicker and essential oils.

Product names covered by EU Quality Designations⁴

- Cheeses
- Meat-based products
- Fresh meat (and offal)
- Fresh fish, molluscs and crustaceans and products derived therefrom
- Other products of animal origin (eggs, honey, milk products excluding butter etc.)
- Oils and fats / Olive oils
- Table olives
- Fruit, vegetables and cereals
- Bread, pastry, cakes, confectionery, biscuits and other baker's wares
- Beer
- Other drinks
- Non-food products and others

³ Council Regulation (EC) No 509/2006 of 20 March 2006 on agricultural products and foodstuffs as traditional specialties guaranteed (OJ L 93, 31.3.2006). This replaces Regulation (EEC) No 2082/1992.

⁴ The full list of products can be found at: http://ec.europa.eu/agriculture/foodqual/quali1_en.htm



Chianti Classico, PDO

3. The protection offered to producers via PDO and PGI

Registration under PDO and PGI gives exclusive rights to producers to use the registered name for their products. This is a valuable intellectual property right.

Exclusive rights

A clear advantage of the EU's quality designation systems is that the right to use a product name is granted to the producers who made the original application for registration of the product name, plus any other producers who can meet the requirements of the specification. Under the PDO and PGI systems producers outside the geographical area and/or not meeting the requirements of the specification are explicitly excluded from using the registered name.

For PDO and PGI, the right to exclusive use of the product name gives the producers concerned their added value as they can distinguish their products from those of competitors in the marketplace. At the same time, they are enabled to provide consumers clear information via the labelling on their product.

Enforcement

Enforcement of EU quality systems is carried out by Member State authorities, acting within rules laid down at EU level. Member States are obliged to set up the necessary control bodies to ensure compliance with EU rules. The costs of this are covered by the producers involved, not by the state.

Homonymous names

Use of homonymous names (i.e. products having the same name) is not excluded outright under the EU's quality policy rules. The benchmark is whether consumers might be misled or not. In cases where the same name is being used, a distinction must be made, bearing in mind the need to treat producers in an equitable manner and not to mislead consumers. Thus, *Jambon sec et noix de jambon sec des Ardennes* (France) and *Jambon d'Ardenne* (Belgium), both of which are traditional high quality hams, while using similar words, are sufficiently differentiated for consumers not to be misled.

The overall extent of protection granted to PDOs and PGIs

The extent of the protection afforded to holders of a quality designation is quite wide. Producers other than the holders of the designation are not allowed to take unjustified advantage of the reputation the product concerned has built up. The following actions are specifically prohibited:

- Direct or indirect commercial use of a registered name for products not covered by the registration
- Misuse, imitation or evocation of the name on a non-registered product. This extends to expressions such as 'style', 'type', 'method' etc. suggesting that the product is equivalent or associated with the original, and even if the true origin of the product is indicated or if the protected name is translated. A product carrying a registered name must retain the required link to the geographic area concerned (i.e. such names cannot be 'de-localised'). This provides producers who have the right to use the registered name with a strong defence against direct and indirect encroachment on their rights
- False or misleading information about the origin, nature or qualities of products on packaging that might give a false impression as to their origin.

Withdrawal of non-complying products from the market

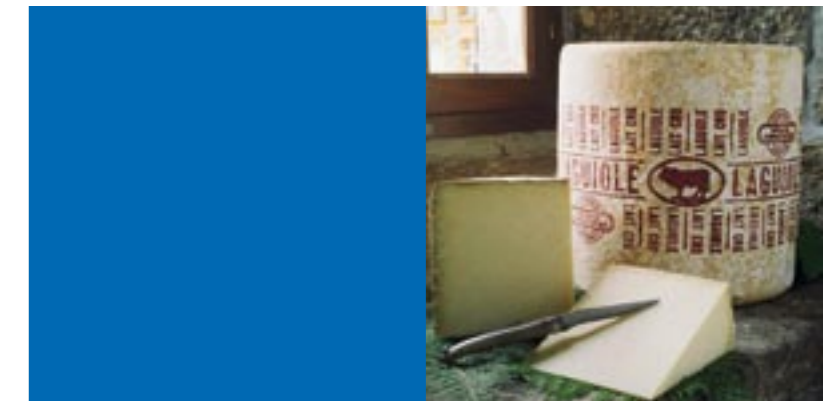
Where a product is being marketed in competition with a registered EU quality product without fulfilling the requirements of the product specification, it must be removed from the market. In the case of products that have been on the market for a certain period (as set down in the regulation), the product may remain on the market for a further limited period only. For example, when the PGI *Jambon de Bayonne* was registered, Danish companies that had legally marketed ham using the name in question throughout the five years preceding the relevant date objected. It was decided that they could continue to market their product under the name *Jambon de Bayonne* for a transitional period of three years from the date of registration of the name, provided the label indicated clearly the true origin of the product.

Relationship with trademarks

The regulations deal with possible cases where conflict could arise between a trademark and a geographical name, seeking to strike the right balance between competing intellectual property rights.



Ελιά Καλαμάτας (Elaia Kalamatas), PDO



Laguiole, PDO
photographer: Coopérative Jeune Montagne



Budějovické pivo, PGI
photographer: Archive of Budweiser
Budvar, N. C.

4. Product specifications

The product specification is the key element in the designation of a product name as it establishes the conditions to be observed by all parties thereafter. Producers draw up their own specifications. While these are vetted by national and EU authorities, there is a strong element of self-policing in the systems.

What is a product specification?

A product specification has to contain all the technical information necessary to describe the product. It must be sufficiently detailed so as to allow any new producer in the field concerned to start production of the specific product if desired.

The specification is the main evidence in support of an application. Once they have been formulated, the conditions in a specification are binding on producers intending to use the registered name and are the reference point for any inspections by the authorities. Only products that comply with the specification can be marketed under the PDO or PGI registered name.

Specifications can be altered (for example to take into account a scientific or technical development, or if a geographical area is re-defined). In this case producers apply for authorisation to their national authorities who then send the main elements to the European Commission for approval. In the case of third countries registration and amendments may be sent directly to the Commission.

The product specification is therefore the determining factor in obtaining registration, and also in maintaining confidence in the system.

What do product specifications contain?

The main elements of a specification are:

- Name of the product
- Description of the agricultural product or foodstuff (including information on raw materials and physical, chemical, microbiological or taste characteristics)
- Definition of the geographical area
- Evidence that the product originates in the relevant area
- Description of how the product is obtained, plus any relevant details on local production, processing, packaging etc. methods
- Details of the link between the product and the geographical area concerned
- Any specific labelling requirements
- Any requirements laid down by Community or national provisions



Queijo de Azeitão, PDO

What's in a name?

The product name itself should include of the following:

- The name of a region, specific place or country
- Or a traditional name that need not necessarily indicate the region but is unambiguously associated to a certain region, specific place or country

The following may not be registered:

- Names that conflict with any plant variety or livestock breed in a way that might mislead consumers
- Names that in the light of a trademark's reputation and renown and the length of time it has been used, would if registered, be liable to mislead the consumer as to the true identity of the product
- Names that have become generic and are commonly used to describe a product, whatever its origin.

What is covered by the 'Description of the product'?

The product description should cover:

- Physical attributes (shape, colour, weight etc.)
- Chemical features (minimum fat content, maximum water content etc.)
- Microbiological information (e.g. any bacteria present)
- Biological details (race, variety etc.)
- Organoleptic characteristics (taste, flavour, colour, odour etc.)

The description essentially establishes the ways in which a product is specific, and details how it is to be differentiated from other products in the same category. Specification of processing, packaging and presentation may also be important, because methods of cutting, slicing, grating or packaging may be essential in maintaining the characteristics and value of the product.

How geographic areas should be described

Generally the limits of a production/processing area are defined by natural or human factors, and sometimes by administrative boundaries. The product specification has to set out precisely the limits of the geographic area, using supporting documents including maps.



Parmigiano Reggiano, PDO
photographer: Resmini

A country can be named in exceptional circumstances where the area of the country concerned presents homogenous characteristics relevant to an application for a quality designation.

Evidence that the product originates in the area

The main requirement here is for applicants to show full traceability of their product. A clear path must be identified between the area of production and the final product on the market. The specification must demonstrate what measures have been put in place to ensure traceability (for example, by keeping a register), i.e. that the product and its raw material, where appropriate, originate from the area.

Methods of production

The description of the method of production must be sufficiently informative to allow any producer within the region to produce the foodstuff concerned if desired. The main requirements are for information on:

- The method of obtaining the agricultural product or foodstuff
- The authentic local method of production
- Packaging (where relevant).

The vital link in the specification

Explanation of the link between the product and the geographical area is the most important element of the product specification in the case of PDOs and PGIs as it must demonstrate why a product is associated with one particular area and not another. In other words, the specification must show how the characteristics of a particular region affect a product in a way that other regions cannot. For PDOs and PGIs, simply showing that certain areas specialise in producing a particular foodstuff is insufficient justification for a specification. Applicants must demonstrate a causal link between an area and the characteristics and reputation of the product (e.g. particular environmental or other conditions), including any inherent natural or human factors at play.

For example, soil type, topography, climate/microclimate, vegetation etc. could all influence the final product. Local know-how and special production skills are also relevant. The two tend to interact. For instance, grassland and air quality could work in conjunction with breed selection to allow cheese producers in a locality to develop a viable business in otherwise unviable circumstances. In other cases, terraces, irrigation or milling systems have been allied to the production of particular products, with human skills helping to adapt to geographical constraints.

5. The benefits PDO/PGI offer

The EU's quality product designation systems are designed to protect the rights of producers and consumers. Both should derive considerable benefit from the systems.

The benefits for farmers/food producers ...

The 'bottom line' for farmers must be whether the exclusive right to use a product name leads to a higher price than for similar products in the same food category. There is evidence that this is so. For example, the French *Comté* cheese, which has a PDO designation, has seen its market price hold up well against other cheeses over a ten-year period. And, the profitability of *Comté* producers compares very well with that of their competitors.

A study in the cheese sector concluded that cheese with designated status could claim a 30% price premium over competing products (cf. Secodip 2002 data). *Parmigiano Reggiano* cheese and essential oils protected by GIs have also benefited from considerable price advantages. Studies also indicate that the added value is distributed along the food chain, allowing producers and local processors to gain as well as retailers and other downstream players.

A real contribution to rural development

PDOs and PGIs are worth protecting not only because of their connection to quality, tradition and reputation; they also make a very valuable contribution to sustainable rural development. Several studies⁵ have shown that they have an important role to play in the regeneration of the countryside since they ensure that agri-foodstuffs are produced in a way that conserves local plant varieties, rewards local people, supports rural diversity and social cohesion⁶, and promotes new job opportunities in production, processing and other related services. The needs of today's population are met, while natural resources and traditional skills are safeguarded for generations to come.

... and for consumers

Quality labels offer an excellent marketing message about high value-added products. The schemes enable farmers and producers to inform consumers about specific char-



Arbroath Smokies, PGI

A practical example

The story of the speciality smoked fish produced in Scotland – the Arbroath Smokie – illustrates how valuable a quality designation is to producers. The key points are:

- Existing producers/processors noticed the arrival on the market of a competing, similar product
- The competing product had neither the correct taste nor the same look as the genuine product (they were not produced in the same way)
- Having formed a producers' association and applied for and achieved a PGI, products may now only carry the name Arbroath Smokie if they have been produced locally (within eight kilometres of Arbroath town centre) and according to a strict set of specifications
- Not only does the PGI give producers of genuine Arbroath Smokies the protection they need for the product name, allowing them to maintain a price premium, but it also increases the opportunities for producers to qualify for promotional assistance for high quality foods

acteristics and origins of their products, irrespective of the number of intermediaries (distributors, wholesalers, retailers etc.) in the supply chain.

⁵ For example: Impact de l'utilisation d'une indication géographique sur l'agriculture et le développement rural (Fromage de Comté, France) – MAAPAR, 2003/2004; Geographic Indications in France – A dynamic sector of the Food Industry – Dupont; High Quality Products and regional specialities: A promising trajectory for endogenous and sustainable development – Jan Douwe van der Ploeg; Geographical Indications and Rural Development in the EU – Carina Folkson, Lund University

⁶ As defined by the Council of Europe: "Social cohesion is a concept that includes values and principles, which aim to ensure that all citizens, without discrimination and on an equal footing, have access to fundamental social and economic rights."



Boeren-Leidse met sleutels, PDO



The main benefits for consumers are:

- The main message from the label – it indicates a quality product
- Choice from the enormous range of great European foods thanks to user-friendly labelling
- Information on the origin of the product and its characteristics (ingredients etc.) and traditional production methods
- Guarantees that products are the genuine article not copies or imitation products
- Confidence that the food has been produced in line with the detailed specification
- Consumers can identify and buy products from their own or other specific regions if they choose to
- Overall information that consumers need to be able to decide whether designated high quality products provide good value for money.

EU quality labels thus offer consumers combined information about a product's quality, its attributes and its origin, as well as its value, prior to purchase. These attributes are known to be important for consumers. Several surveys commissioned by the European Commission indicate that the main advantage of the CAP, according to EU citizens, is that it ensures that the food that consumers purchase is safe and of good quality⁷.

⁷ Eurobarometer surveys at: http://ec.europa.eu/public_opinion/archives/eb_special_en.htm

⁸ Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs (OJ L 93 of 31.3.2006), and TSG rules were updated at the same time: see Council Regulation (EC) No 509/2006 of 20 March 2006 on agricultural products and foodstuffs as traditional specialities guaranteed (OJ L 93 of 3.3.2006)

6. How PDOs and PGIs work on the ground

The EU updated its regulations on PDOs and PGIs in March 2006⁸. Several important revisions were made, including the opening up of the EU system to direct applications from producer groups in non-EU countries. The registration procedure is the same for protected designations of origin and for protected geographical indications.

New regulations – what has changed

The new quality designation regulations simplify the systems considerably. For example, in the past, applicants (producer groups) submitted their request for the registration of a product name to their Member State authorities. The authorities vetted the request and then forwarded the whole application to the European Commission which tended to undertake the complete examination again. Under the new rules, Member States will carry out the examination of the request, working within regulations and guidelines set at EU level. The Commission will be involved in a scrutiny procedure of the main elements (grouped in a 'single document' which will be published in the EU Official Journal) to ensure that applications satisfy the conditions laid down by the regulations and that the approach is uniform across the 25 EU Member States. This should speed up the registration process for new applications.

A further change is that, partly as a result of a ruling by the World Trade Organisation (WTO) in 2005, the EU is able to receive applications from producers in third countries sent directly to the Commission for registration of product names under the EU system. Previously these producers had to pass via their national authorities, which could be unwilling or unable to process the application.

Initiating an application/becoming an applicant

Registration is voluntary – it is producers themselves who decide whether to take the initiative. The initial step is to apply for registration of a product name – producers decide whether to apply for a PDO or PGI on the basis of the characteristics of their product.

Generally, groups of producers make an application as an association. The EU's rules have always precluded any product specification being drawn up in a way that would give one producer a *de jure* monopoly on production of the foodstuff.

Transparency

The EU system is transparent and open. Specifications are made public by Member States, or, for third country denominations, by the Commission. There is scope for objections to be lodged by an interested party, on a number of different grounds, during the application process.

The role of national authorities

Following the revision of regulations in March 2006, producers making an application for registration of a product designation continue to do so through their national authorities. The national authorities ensure appropriate publicity of the request made, and that any interested party in the Member State can object if it wishes. Where the request is acceptable, the Member State sends it to the Commission for registration; if not, it rejects it.

The part played by the European Commission

The Commission examines requests sent by Member States, including the main elements of the specification gathered in each case in a 'single document', and assesses whether they meet the requirements under the relevant regulation. If an application satisfies the rules then the single document referring to that application for registration is published in the Official Journal. The Commission also assesses any objections to the registration of a designation submitted by third parties. It can call on independent scientific advice.

Other EU level bodies

The overall rules for quality designations have been established by regulations of the EU Council of Ministers, following proposals from the European Commission. The European Parliament also gave its opinion during the process of establishing the Council regulations. From the time the regulations came into force, it has been the Commission's responsibility to ensure they are applied.

How long does the whole process take?

Under the previous regulations the Commission was required to examine applications for registration within six months. It could seek supplementary information or greater clarification where it deemed this necessary. Given the complexity of the requests submitted and the need for administrative treatment of them, including translation requirements and delays in receiving supplementary

information, the minimum total time period needed for registration of a name by the Commission was around 18 months, and often much longer. Under the new regulations this timescale should be shorter due to less onerous procedures.

Can others join in?

Any producer or group of producers in a geographical area relating to a PDO/PGI designation is entitled to use the registered name to market the product concerned, as long as the conditions of production set out in the product specification are respected. This is one reason that applications are generally made by producer groups, which normally represent all the interested producers in a locality. Groups could also include consumers or other interested parties.

Can an application be contested?

As part of the scrutiny process, the Member State dealing with an application must initiate a national objection procedure which ensures adequate publication of the application and provides for a reasonable period within which any natural or legal person having a legitimate interest, and established or resident on its territory, may lodge an objection. Any individual or group can object. There is also a provision at EU level for objections to be lodged by any Member State or third country or any individuals with a legitimate interest, established or resident in a third country, within six months of the date of publication in the Official Journal (by lodging a duly substantiated statement with the Commission).

The Commission must follow certain steps in dealing with objections, e.g.:

- Assessing admissibility of an objection under the rules (rejecting it if inadmissible)
- Initiating a conciliation procedure between the parties concerned in order to try to find a mutually acceptable solution
- Acting as final arbiter if such a solution proves impossible.

If no objection is lodged then registration will follow without re-examination of the dossier.



Lapin Puikula, PDO

Registration processes for quality designations

- A group of producers must define their product according to precise specifications
- An application, including the specifications, must be sent to the relevant Member State
- The national authorities study the application, decide whether to accept the registration application and then transmit their decision to the Commission
- The application undergoes a number of control procedures at EU level
- If it meets the requirements, publication in the European Union's Official Journal will inform those who are interested
- The European Commission must publish (for example on its website) an up-to-date list of the product names which have been submitted for registration, together with specification information about them

Is it easier to register a name as a PGI than as a PDO?

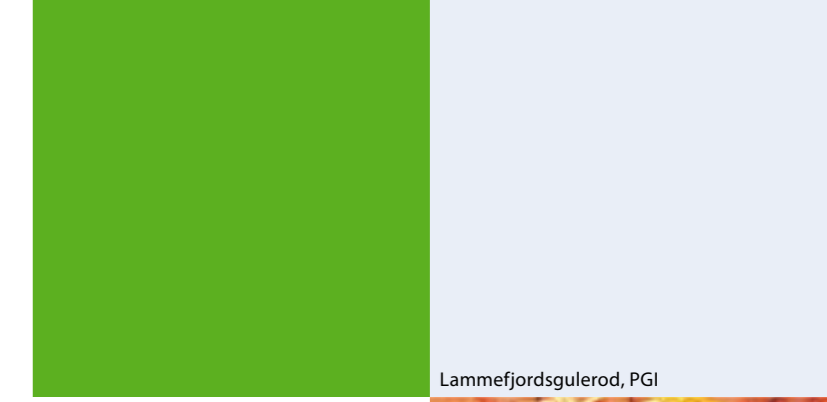
In procedural terms there is little difference between applying for a PDO and applying for a PGI. The link to a geographic area must be stronger in the case of a PDO; this therefore tends to require a higher level of proof of the causal link. However, differences in registration requirements are relatively insignificant and the facility of registration is related more to how well the product qualifies for registration.

Can a registration be refused or cancelled?

Applications can be refused if the Member State and/or the Commission finds that the product does not meet the regulatory requirements. Registration of a name can also be considered for cancellation, at the request of any individual having a legitimate interest and having a good reason for requesting such cancellation, or because the Commission takes the view that compliance with the specification can no longer be ensured.

Existing registrations in 2006

When the new regulation came into force, names already registered were automatically protected by the new regulations, and are automatically included in the register.



Lammefjordsgulerod, PGI

7. Quality logos – assurance for consumers

Increasing interest among consumers in high quality products relies on improving information. With its quality logos, the EU has the means to enable the agri-food sector to inform wholesalers, distributors and consumers inside and outside the EU of the existence and value of its quality systems. Labels are vital, giving EU farmers and producers the possibility of higher returns in exchange for better quality, and giving consumers specific products that come with the guarantee of a certain production method and delimited geographical origin.

The EU symbols – quality logos

Consumers and the food trade can recognise products with a PDO, PGI or TSG status by the blue and yellow 'sun' logos enclosing the EU stars. In addition, in the case of PDO and PGI, in the middle there is a symbol of the countryside, representing through furrows the delimited geographical area to which the registered product name is linked. These EU symbols provide guarantees of authenticity that the food products concerned are made in a specific region or use particular production methods. The symbols are aimed partly at preventing imitators from passing their products off as the genuine article, but they also allow producers to increase awareness of their products. From 1 May 2009 it will be obligatory for producers or traders to use the EU symbol, or the equivalent indication PDO, PGI or TSG, on products that have been registered.



Roquefort, PDO

Each label corresponds to the specific requirements that products must meet.

Protected Designations of Origin (PDO)

Examples of products carrying the PDO designation are:

- *Prosciutto di Parma* (ham) - from Italy
- *Kalamata* (olive oil) - from Greece
- *Camembert de Normandie* (cheese) - from France
- *Castanha de Padrela* (chestnut) - from Portugal



Protected Geographical Indications (PGI)

Examples of products carrying the PGI designation are:

- *Calçot de Valls* (vegetable) - from Spain
- *Nürnberger Bratwürste/Nürnberger Rostbratwürste* (sausage) - from Germany
- *Scotch Beef* (beef) - from the UK (Scotland)
- *Budějovické pivo* (beer) - from the Czech Republic



Traditional Speciality Guaranteed (TSG)

Examples of products with the TSG designation are:

- *Mozzarella* (cheese) - Italian tradition
- *Lambic, Gueuze Lambic, Gueuze/Lambiek, Geuze-Lambiek, Geuze* (beers) - Belgian tradition
- *Falukorv* (traditional meat-based product) - Swedish tradition
- *Karjalanpiirakka* (biscuit) - Finnish tradition



When consumers see the EU logo they know the product on which it is displayed is the 'real thing'. The EU logo is available in all the EU official languages⁹.

⁹ Go to : http://ec.europa.eu/agriculture/foodqual/protec/logo_en.htm



Mozzarella di Bufala Campana, PDO

8. The EU system is open to non-EU countries

By adopting its new regulations on quality policy in March 2006, the EU has made the registration procedure for PDOs and PGIs more efficient and fully WTO-compatible.

In a World Trade Organisation (WTO) panel ruling issued in 2005¹⁰, the WTO required that EU regulations be brought into conformity with multilateral trade rules; firstly by formally deleting a requirement that the third country should apply similar protection on a reciprocal and equivalent basis, and secondly by allowing third country operators to submit applications and objections directly to the Commission. The deadline for implementing the ruling was 3 April 2006.

While the EU's quality designation systems have for a long time been open to producers in non-EU countries, since 31 March 2006, applications for registration of PDOs, PGIs and TSGs by producers in third countries, and objections to applications by individuals in third countries, can be made directly to the Commission as opposed to via national government channels.

Producers in third countries are able to download from the European Commission's website¹¹ a straightforward guide to submitting applications for registration of geographical indications and designations of origin, together with the necessary forms. In addition, individuals and groups in third countries may lodge objections to proposed registrations directly to the Commission.

¹⁰ WT/DS 290 of 15 March 2005 by Australia and WT/DS 174 of 15 March 2005 by the US

¹¹ Go to: http://ec.europa.eu/agriculture/foodqual/protec/thirdcountries/index_en.htm

9. Traditional Speciality Guaranteed (TSG)

For a name to be registered under the TSG provisions, the product must have features that distinguish it from other products. First, it must be traditional and have a specific character, meaning it has features which distinguish the foodstuffs of the same category.

What distinguishes a TSG specification?

The specific features required by the TSG system include:

- Use of traditional raw materials in production of a foodstuff, or
- Traditional composition, or
- Mode of production and/or processing reflecting traditional methods.

In short, to obtain the TSG designation a product must possess features that distinguish it from other products, and it must be traditional.

Traditional names

'Traditional' means proven usage on the EU market for a time period showing transmission between generations; this usually means a minimum of 25 years.

The particular benefits of the TSG system

The main aim of the TSG designation is to allow high quality products that are not necessarily linked to a geo-



Oude Geuze, TSG

graphic area to be differentiated from other products and thus to obtain a market price premium. The system also helps to maintain authentic products that are a part of the EU's cultural heritage.

Procedures

An application must be accompanied by specifications enabling compliance with registration conditions, including at least:

- The name to be registered, and an indication of whether the producer/group is applying for registration with or without reservation of the name and whether the name can be registered in one or more languages.
- A description of the characteristics of the product giving its main physical, chemical, microbiological and/or organoleptic characteristics which relate to the specific character
- A description of the method of production, including the nature and characteristics of the raw material and/or ingredients used and/or the method of preparation of the product
- Details allowing appraisal of traditional character – i.e. the key elements that define and prove the product's specific character
- Certification or inspection arrangements.



Comté, PDO

The application for registration of a name in the register of TSGs can be done with or without reservation of the name:

- Without reservation of the name means that the registered name may continue to be used on the labelling of products not corresponding to the registered specification, but the indication 'traditional speciality guaranteed', the abbreviation 'TSG' or the associated EU logo, may not be indicated thereon (Mozzarella cheese is an example of a TSG without reservation of the name).
- 'With reservation of the name' means that the name, even where unaccompanied by the indication 'traditional speciality guaranteed', the abbreviation 'TSG' or the associated EU logo, may no longer be used on the labelling of similar foodstuffs not satisfying the registered specification (an example of reservation of a name is *Jamón Serrano*).

Stakeholders involved

The same farm/processing level, national and EU players are involved as for PDOs and PGIs.

Is the TSG system open to non-EU countries?

The TSG system is open to applications from producers in third countries. The system is open to producers all over the world if they respect the specifications and are subject to proper verification and control mechanisms.



Volailles du Gers, PGI
photographer: Avigers

10. Frequently asked questions about quality policy

Q. Where can more information about agricultural quality policy be found?

- At the web site of the European Commission's Directorate-General for Agriculture and Rural Development: http://ec.europa.eu/agriculture/foodqual/quali1_en.htm.
- In the 'Guide to Community regulations' on quality designations: http://ec.europa.eu/agriculture/publi/gi/broch_en.pdf.

Q. Why does the EU have an agricultural quality policy?

A. Consumers are looking beyond higher dietary, health and hygiene standards in the products they buy. They now increasingly look for certification and assurance on product origin and production method. This heightened consumer awareness is reflected in demand for products with individual characteristics linked to specific production methods, composition or origin.

Q. Who benefits from having this quality policy?

A. Consumers and agricultural producers both benefit. Consumers have a guarantee, via the quality systems and logos, that they are buying authentic high quality foodstuffs. Producers who have the skills and capacity to

produce such foods should benefit from a higher market price – the reward for the extra effort and cost of producing to more exacting standards than the norm.

Q. How can rural communities also benefit?

A. If more added-value production remains in rural areas, whole communities can benefit from: the maintenance of economic activities; improved job opportunities; spin-offs for other rural activities such as tourism (sometimes this additional activity will be on-farm).

Q. What are the differences between the three main EU quality systems?

A. Both PDOs and PGIs involve a clear link to a specific geographic region. The main difference between the two is just how closely the product is linked to a specific geographical area. In general terms a PDO product must derive its characteristics from the area (either from local raw materials, climate, soil quality or other local factors) AND it must be produced and processed in the locality. For PGIs it is sufficient that only one of the production stages takes place in the defined area. A TSG (Traditional Speciality Guaranteed) does not refer to the geographic origin but highlights traditional character, either in the composition or means of production.

Q. What are generic names, and is there a list of such names?

A. A generic name is one which, although it relates to a place or region where a product was originally produced, has become the common name of the product type, i.e. the geographic name has passed into current usage and has come to designate a category of products that do not necessarily originate in the region with the same name. The EU has not been able to draw up a list of generic names of agricultural products or foodstuffs. The fact that the protection of some names has not been sought by a producer group does not mean that they can be classified as generic.

Q. Aren't Geographical Indications just another form of trade barrier, serving EU interests only?

A. No, GIs are not trade barriers. On the contrary, GIs facilitate trade by providing a level playing field for quality products and so contribute to consumer choice. The EU wants to ensure that consumers and producers are not misled by labelling of products which are claimed to have originated elsewhere. This can arise when the name of a regional product has been trademarked by an imitator or because inadequate labelling laws allow any producer to use the geographical indication and so benefit from the premium reputation. Canadian consumers cannot buy genuine Italian Parma Ham, labelled as Parma Ham, in Canada, because the trade mark 'Parma Ham' has been reserved for another product.

Q. Is Europe alone in its bid to step up protection for regional quality products?

A. Not at all. India, Pakistan, Sri Lanka, Thailand, Kenya, Jamaica and other developing countries have demanded better GI protection. They are worried about losing rights over products such as 'Basmati' rice, 'Ceylon' tea, 'Blue Mountain' coffee, 'Jasmine' rice – and when we consider that more 'Darjeeling' tea is produced outside India than in the Darjeeling region (some estimates put the figure of false Darjeeling at three times the amount of genuine product) it is easy to understand why.



Lardo di Colonnata, PGI
photographer: Luigi Biagini Carrara



Pruneaux d'Agen, PGI
photographer: Photothèque du BIP

Φέτα (Feta), PDO
photographer: E.M. Anifantakis "Greek
Cheeses – a Tradition of Centuries" (1991),
page 28



European Commission Directorate-General for Agriculture and Rural Development

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