Quality schemes for agricultural products and foodstuffs

2010/0353(COD) - 12/07/2011 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Agriculture and Rural Development adopted the report by Iratxe GARCÍA PÉREZ (S&D, ES) on the proposal for a regulation of the European Parliament and of the Council on agricultural product quality schemes.

The committee recommends that the European Parliament's position in first reading following the ordinary legislative procedure should amend the commission proposal as follows:

Subject matter: Members stipulate that **foodstuffs** must also be covered by the proposed regulation. The measures provided are also intended to foster **fisheries and aquaculture**, and should focus especially on areas in which the farming sector is of greater economic importance and, in particular, on disadvantaged areas.

Scope: Members want the quality scheme to apply also to **unprocessed agricultural products**.

Furthermore, the regulation should apply to **grape juice**, which, as a PDO or PGI, is not included in either the Single CMO, or in Regulation (EC) 510/2006.

The committee clarified the text with regards to the Commission's powers to add new products to Annex I.

Definitions: Members add to the meaning of the term **'traditional'** by stating that the Commission shall establish by means of delegated acts the conditions under which exemptions could be granted in the case of old products and recipes which have been revived in recent times. In these cases, the period will be the one ascribed to one generation, that is, at least 25 years.

They also added a definition for **'production step'.**

Designation of origin: with a view to ensuring that consumers are properly informed, in respect of protected geographical indication products the place of provenance of the agricultural product shall be specified, at least in cases where the place of provenance is not the same as the place in which processing took place.

Generic terms: in establishing whether or not a name has become generic, Members state that the translation of the name into each of the official languages of the Union shall be taken into account. A further amendment aims at introducing more coherence with Single Common Market Organization (wine). It is coherent with the extension of protection of wine under the WTO TRIPs Agreement.

Product specification: to help contribute to safeguarding the quality and good name of the products, the report states that the product specification may include specific requirements aimed at protecting the natural resources or landscape of the production area or improving the welfare of farm animals.

Furthermore, a transitional national period should be available to cover not only the registration of a new PDO or PGI but also the request for the modification of a PDO or a PGI specification.

Symbol and indications: in the case of products originating in the Union, marketed under a protected designation of origin or a protected geographical indication, the Union symbols associated with them shall

appear on the labelling. In addition, the following may also appear on the labelling: depictions of the geographical area of origin and text, graphics or symbols referring to the Member State and/or region in which that geographical area of origin is located.

Only products from third countries and EU countries that have undergone the procedure of examination contained in this regulation ("Reciprocity") should be entitled to bear the same symbols and indications.

Protection: Member States shall designate the authorities that are responsible for managing the administrative measures relating to PDOs, PGIs and TSGs in accordance with procedures determined by each individual Member State. Those authorities shall be objective and impartial. They shall also be equipped with staff and resources that are commensurate with these objectives.

In order to prevent the marketing in the Union or the export to third countries of products not labelled in conformity with the Regulation, the Commission shall be empowered to adopt delegated acts concerning the definition of the actions to be implemented by Member States in this respect.

Temporary derogations for use of PDO and PGI: an amendment aims to integrate the provisions of Council Regulation (EC) No 510/2006 which provide for the granting of a transitional period, not exceeding 5 years, to businesses located in the applicant Member State who made an admissible objection to the application during the domestic consultation stage and who wish to have time to make the necessary adjustments to take account of the fact that the name whose registration they opposed has been protected.

Traditional specialities guaranteed (TSG): the scheme for TSG must aim to safeguard and promote traditional methods of production and recipes by assisting producers of traditional product in marketing and communicating the value adding attributes of their traditional recipes and products to consumers.

The committee wants Member States, no later than 31 December 2016, to submit to the Commission a list of traditional specialities guaranteed that have been registered in accordance with Regulation (EC) No 509 /2006 and that comply with this Regulation. The Commission shall publish the full list in the Official Journal of the European Union.

Optional reserved terms: Members consider that the specific provisions relating to optional reserved terms and all articles and recitals relating to these terms and to marketing standards, as well as Annex II must be moved to the proposal for a regulation on marketing standard as to integrate all optional reserved terms in the Single CMO.

Member States that already have optional terms shall have the right to retain more restrictive national measures.

Mountain product: Members propose to create a term ‘mountain product’. This term may only be used to describe products intended for human consumption listed in Annex I to the Treaty of which the raw materials come from mountain areas. In addition, for the term to be applied to processed products, such processing must also take place in mountain area or in certain circumstances in areas in close proximity to the mountains.

Products of island farming and local and direct sales: by 30 September 2012, the Commission shall present a report on:

- **the case for a new term, 'product of island farming'**. That report shall, if necessary, be accompanied by appropriate legislative proposals creating the optional quality term 'product of island farming';

- **the case for a new local-farming and direct sales labelling scheme** to assist producers in marketing their produce locally. That report shall, if necessary, be accompanied by appropriate legislative proposals creating that local and direct sales labelling scheme.

Penalties: Member States must carry out checks, based on a risk analysis, to ensure compliance with the requirements of this Regulation and, in the event of breaches, shall impose appropriate administrative penalties.

Producer organisations: Members propose that, in certain specified circumstances, a group that is representative for the product is entitled to:

- take action to ensure adequate **legal protection** of the protected denomination of origin or protected geographical indication and of the intellectual property rights directly connected with them;

- apply for an authorisation from its Member State to establish a **system for managing its production;**

- take measures to **enhance the value** of products and, where necessary, take steps to prevent or counter any measures which are or risk being detrimental to the image of those products;

Reporting on Guidelines: with regard to the Guidelines on the best practices on voluntary certification schemes and on the labelling of products using PDO-PGI ingredients), Members state that three years after entry into force of the regulation, the Commission shall present a report with a view to establishing whether legislative provisions are necessary.