Basic information

2010/0353(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Quality schemes for agricultural products and foodstuffs Repealing Regulation (EC) No 509/2006 2005/0270(CNS) Repealing Regulation (EC) No 510/2006 2005/0275(CNS) Repealed by 2022/0089(COD) Amended by 2013/0140(COD) Amended by 2018/0218(COD) **Subject** 3.10.02 Processed products, agri-foodstuffs 3.10.03 Marketing and trade of agricultural products and livestock 3.10.10 Foodstuffs, foodstuffs legislation	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AGRI Agriculture and Rural Development	GARCÍA PÉREZ Iratxe (S&D)	27/10/2010
	Shadow rapporteur DORFMANN Herbert (PPE) REIMERS Britta (ALDE) SMITH Alyn (Verts/ALE) ASHWORTH Richard (ECR) RUBIKS Alfreds (GUE/NGL) SCOTTÀ Giancarlo (EFD)	

Committee for opinion	Rapporteur for opinion	Appointed
ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	
IMCO Internal Market and Consumer Protection	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Agriculture and Fisheries	3084	2011-04-14

European Commission	Commission DG	Commissioner
	Regional and Urban Policy	CIOLOŞ Dacian

Key events

Date	Event	Reference	Summary
10/12/2010	Legislative proposal published	COM(2010)0733	Summary
18/01/2011	Committee referral announced in Parliament, 1st reading		
14/04/2011	Debate in Council		Summary
21/06/2011	Vote in committee, 1st reading		
12/07/2011	Committee report tabled for plenary, 1st reading	A7-0266/2011	Summary
12/09/2012	Debate in Parliament		
13/09/2012	Decision by Parliament, 1st reading	T7-0344/2012	Summary
13/09/2012	Results of vote in Parliament		
13/11/2012	Act adopted by Council after Parliament's 1st reading		
21/11/2012	Final act signed		
21/11/2012	End of procedure in Parliament		
14/12/2012	Final act published in Official Journal		

Technical information

Procedure reference	2010/0353(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealing Regulation (EC) No 509/2006 2005/0270(CNS) Repealing Regulation (EC) No 510/2006 2005/0275(CNS) Repealed by 2022/0089(COD) Amended by 2013/0140(COD) Amended by 2018/0218(COD)
Legal basis	Treaty on the Functioning of the EU TFEU 118-p1 Treaty on the Functioning of the EU TFEU 043-p2
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	AGRI/7/04858

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE460.980	05/04/2011	
Amendments tabled in committee		PE464.731	11/05/2011	
Committee report tabled for plenary, 1st reading/single reading		A7-0266/2011	12/07/2011	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0344/2012	13/09/2012	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	00041/2012/LEX	21/11/2012	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2010)0733	10/12/2010	Summary
Document attached to the procedure	SEC(2010)1524	10/12/2010	
Document attached to the procedure	SEC(2010)1525	10/12/2010	
Commission response to text adopted in plenary	SP(2012)665	11/10/2012	
Follow-up document	COM(2013)0866	06/12/2013	Summary
Follow-up document	SWD(2013)0501	06/12/2013	
Follow-up document	COM(2013)0888	16/12/2013	Summary
Follow-up document	COM(2017)0743	11/12/2017	Summary

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	PT_PARLIAMENT	COM(2010)0733	16/02/2011	
Contribution	RO_SENATE	COM(2010)0733	16/02/2011	
Contribution	IT_SENATE	COM(2010)0733	23/03/2011	
Contribution	IT_CHAMBER	COM(2010)0733	09/08/2011	
Contribution	PT_PARLIAMENT	COM(2013)0866	27/03/2014	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0811/2011	05/05/2011	
CofR	Committee of the Regions: opinion	CDR0014/2011	12/05/2011	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	
European Commission	EUR-Lex	

Final act

Corrigendum to final act 32012R1151R(01)
OJ L 055 27.02.2013, p. 0027

Regulation 2012/1151
OJ L 343 14.12.2012, p. 0001 Summary

Delegated acts

Reference	Subject
2014/2650(DEA)	Examination of delegated act
2013/3003(DEA)	Examination of delegated act
2022/2629(DEA)	Examination of delegated act

Quality schemes for agricultural products and foodstuffs

2010/0353(COD) - 13/09/2012 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 528 votes to 57, with 33 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on agricultural product quality schemes..

Parliament adopted its position on first reading following the ordinary legislative procedure. The agreement was the result of a compromise negotiated between Parliament and Council. The main amendments are as follows:

Subject matter and scope of the Regulation: the amended test stipulates that **foodstuffs** are also covered by the Regulation. The measures herein are intended to support agricultural and processing activities and the farming systems associated with high quality products, thereby contributing to the achievement of rural development policy objectives.

In order to take into account international commitments or new production methods or material, the Commission shall be empowered to adopt delegated acts **supplementing the list of products** set out in Annex I to this Regulation. Such products shall be closely linked to agricultural products or to rural economy.

This Regulation **shall not apply to spirit drinks**, aromatised wines and grapevine products as defined in Annex XI b of Council Regulation (EC) No 1234 /2007 with the exception of wine-vinegars

Definitions: the term "**traditional**" means proven usage on the domestic market for a period that allows transmission between generations; this period shall be **at least 30 years.**

The text also defines "**production step**" which means production, processing or preparation.

Criteria applicable to protected designations of origin and protected geographical indications: in order to take into account the specific character of production of products of animal origin, the Commission shall be empowered to adopt delegated acts concerning restrictions and derogations with regard to the sourcing of feed in the case of a designation of origin.

In addition, in order to take into account the specific character of certain products or areas, the Commission shall be empowered to adopt delegated acts concerning restrictions and derogations with regard to the slaughtering of live animals or with regard to the sourcing of raw materials. These restrictions and derogations shall, based on objective criteria, take into account quality or usage and recognized know-how or natural factors.

Generic nature of designations: the text stresses the importance of the need to ensure equitable treatment of the producers concerned and that **consumers are not misled**. It stipulates that a homonymous name which misleads the consumer into believing that products come from another territory shall not be registered even if the name is accurate as far as the actual territory, region or place of origin of the products in question is concerned.

Product specification to be eligible for a protected designation of origin or a protected geographical indication: this shall include, among other things, the name to be protected as a designation of origin or geographical indication, as it is used, whether in trade or in common language, and only in the languages which are or were historically used to describe the specific product in the defined geographical area.

Symbols and indications: the amended text specifies that **Union symbols** associated with products originating in the Union that are marketed under a protected designation of origin shall appear on the labelling. In addition, the registered name of the product should appear in the same field of vision.

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.

The Commission may adopt implementing acts defining the **technical characteristics of the Union symbols** and indications as well as the rules of their use on the products marketed under a protected designation of origin or a protected geographical indication, including as to the appropriate linguistic versions to be used.

Protection: Member States shall take appropriate administrative and judicial steps to prevent or stop the unlawful use of protected designations of origin and protected geographical indications that are produced or marketed in that Member State . To that end, they shall designate the authorities that are responsible for taking these steps in accordance with procedures determined by each individual Member State. These authorities shall offer adequate guarantees of objectivity and impartiality, and shall have at their disposal the qualified staff and resources necessary to carry out their functions.

Traditional specialties guaranteed (TSG): the specific objective of the scheme for traditional specialities guaranteed is to help the producers of traditional products to communicate to consumers the value-adding attributes of their product.

In the case of the products originating in the Union that are marketed under a traditional speciality guaranteed that is registered in accordance with this Regulation, the symbol shall appear on the labelling. In addition, the name of the product should appear in the same field of vision. The indication "traditional speciality guaranteed" or the corresponding abbreviation "TSG" may also appear on the labelling.

Optional quality terms: these must satisfy the following criteria:

- the term relates to a characteristic of one or more categories of products, or to farming or processing attribute which applies in specific areas;
- the use of the term adds value to the product as compared with products of a similar type; and
- the term has a European dimension.

Mountain products: the term 'mountain product' is established as an optional quality term.

This term shall only be used to describe products intended for human consumption in respect of which:

- the raw materials and also the feedstuffs for farm animals, come essentially from mountain areas;
- in the case of processed products, the processing also takes place in mountain areas.

Products of island farming, local farming and direct sales: no later than 12 months following the entry into force of this Regulation the Commission shall present reports on:

- **on the case for a new term, 'product of island farming'**. The term may only be used to describe products intended for human consumption of which the raw materials come from islands. In addition, for the term to be applied to processed products, such processing must also take place on islands in cases where this substantially affects the particular characteristics of the final product. That report shall, if necessary, be accompanied by appropriate legislative proposals to reserve an optional quality term 'product of island farming'.
- **on the case for a new local farming and direct sales labelling scheme to assist producers in marketing their produce locally**. That report shall focus on the ability of the farmer to add value to his produce through the new label, and should take into account other criteria, such as the possibilities of reducing carbon emissions and waste through short production and distribution chains. That report shall, if necessary, be accompanied by appropriate legislative proposals on the creation of a local farming and direct sales labelling scheme.

Role of producer groups: in certain well-defined circumstances, producer groups representing a product shall be entitled to:

- contribute to ensuring that the quality, reputation and authenticity of their products;

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

Member States may encourage the formation and functioning of groups on their territories by administrative means.

Surveillance of the use of the name in the market place: Member States shall carry out checks, based on a risk analysis, to ensure compliance with the requirements of this Regulation and, in the event of breaches, Member States shall take all necessary measures.

Quality schemes for agricultural products and foodstuffs

2010/0353(COD) - 11/12/2017 - Follow-up document

The Commission presented a report on the exercise of the power to adopt delegated acts conferred on the Commission pursuant to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs.

Regulation (EU) No 1151/2012 is the basic act for EU Quality schemes on agricultural products and foodstuffs. It improved and updated the framework for the protection and promotion of quality agricultural products.

Pursuant to that provision, the power to adopt delegated acts is conferred on the Commission for **a period of five years from 3 January 2013**. The delegation of power is tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

The Commission has **used that power with restraint**, by adopting two delegated regulations:

- Commission Delegated Regulation (EU) No 664/2014 of 18 December 2013 supplementing Regulation (EU) No 1151/2012 of the European Parliament and of the Council with regard to the establishment of the **Union symbols** for protected designations of origin, protected geographical indications and traditional specialities guaranteed and with regard to certain rules on sourcing, certain procedural rules and certain additional transitional rules;
- Commission Delegated Regulation (EU) No 665/2014 of 11 March 2014 supplementing Regulation (EU) No 1151/2012 of the European Parliament and of the Council with regard to conditions of use of the optional quality term '**mountain product**'.

Following their adoption, the two regulations were subsequently notified to the European Parliament and the Council in order to allow these institutions to express their objections within a period of two months from the notification of the act.

Neither the European Parliament nor the Council raised any objection to the two delegated regulations. Commission Delegated Regulation (EU) No 664 /2014 entered into force on 22 June 2014 and Commission Delegated Regulation (EU) No 665/2014 entered into force on 26 June 2014.

The application and interpretation of the two delegated regulations in question **did not create any difficulties** during the three years of application. However, the factual, legal and economic context relating to it is constantly evolving. Therefore, the Commission considers it desirable to **extend the delegation of powers for a period of five years**.

At present, the Commission does **not envisage any further use** of the power conferring on the Commission the power to adopt delegated acts.

Quality schemes for agricultural products and foodstuffs

2010/0353(COD) - 10/12/2010 - Legislative proposal

PURPOSE: to put in place a coherent agricultural product quality policy.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

BACKGROUND: farmers and producers of agricultural products face competitive pressure resulting from policy reform, globalisation, the concentration of bargaining power in the retail sector, and the state of the economy. At the same time, consumers increasingly look for authentic products produced using specific and traditional methods.

The diversity and quality of European Union agricultural production should be an important strength and source of competitive advantage for Union farmers. However, in order for consumers and buyers to be properly informed about the characteristics and farming attributes of agricultural product, they need to **receive accurate and trustworthy labelling** information.

Most tools already exist at European Union level. Since the 1990s, Union agricultural product quality policy has been closely identified with three Union schemes, namely for protected designations of origin (PDOs) and protected geographical indications (PGIs), for organic farming, and for traditional specialities guaranteed (TSG). In addition, Union marketing standards have provided a legislative framework for fair competition and smooth functioning of the market since the inception of the common agricultural policy.

Analysis and discussion with stakeholders has shown that **these tools may be improved, simplified and made more coherent.**

In 2007 a major conference was held bringing together all types of quality schemes: 'Food quality certification—adding value to farm produce'. The Conference led to the 2008 Green Paper on agricultural product quality, which elicited over 560 detailed stakeholder responses and provided the input for the Communication on agricultural product quality policy in 2009. In response to this communication, the European Parliament adopted the resolution, 'Agricultural product quality policy: what strategy to follow?' in March 2010.

The Quality Package consists of a set of proposals designed to put in place a coherent agricultural product quality policy. It is aimed at assisting farmers to better communicate the qualities, characteristics and attributes of agricultural product, and at ensuring appropriate consumer information. The Quality Package includes:

- a proposal for a Regulation of the European Parliament and of the Council on agricultural product quality schemes;
- a proposal to modify Regulation (EC) No 1234/2007 (the single Common Market Organisation) concerning marketing standards for agricultural products;
- guidelines setting out best practice for the development and operation of certification schemes relating to agricultural products and foodstuffs;
- guidelines on the labelling of foodstuffs using Protected Designation of Origin (PDO) and Protected Geographical Indications (PGI) as ingredients.

IMPACT ASSESSMENT: concerning **geographical indications**, the analysis showed strong justification for a Union-level geographical indications scheme and discarded alternatives to a European Union scheme for reasons of low efficiency and effectiveness (including co-regulation and self-regulation by the sector, no action at European Union level, protection through the international Lisbon Agreement , replacement by a notification system for national geographical indications, and protection through the existing Community collective trade mark).

The impact assessment identified considerable ground for **reducing complexity** and facilitating enforcement by merging the agricultural product and foodstuffs scheme with those in the alcoholic beverages sectors, while assuring the specificities of each system.

The impact assessment found that merging the instruments for protected designation of origin (PDO) and protected geographical indication (PGI) would diminish the added-value benefits of the PDO identification.

Concerning **traditional specialities guaranteed**, three options were analysed: (i) introducing the term 'traditional' as optional quality term and abolishing the current scheme; (ii) no EU action; (iii) and simplifying the current scheme (allowing only registration with reservation of the name). The impact assessment showed that eliminating the TSG scheme would lead for protected names to loss of the economic and social benefits of EU-wide protection and was found to be unacceptable to stakeholders and to the EU legislator.

In social terms, the **designations of PDO, PGI and TSG were found to contribute to the continuation of traditional forms of production to the benefit of both producers and consumers**.

However, both the impact assessments for geographical indications and for traditional specialities guaranteed highlighted the widespread failure of these schemes to attract participation of very small-scale producers, notwithstanding that small-scale producers are often associated with artisanal product, traditional methods and local marketing, the European Union schemes are seen as burdensome in terms of application, necessitate costly controls, and require adherence to a specification. Therefore, further study and analysis will be carried out in order to assess the problems faced by small-scale producers in participating in Union quality schemes. On the basis of the results of this analysis, the Commission may propose appropriate follow-up.

LEGAL BASE: Article 43(2), and for Title II also Article 118(1) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: the Quality Package aims to **improve the Union legislation in the field of quality, as well as in the operation of national and private certification schemes**, in order to make them simpler, more transparent and easier to understand, adaptable to innovation, and less burdensome for producers and administrations

The **single Regulation** for agricultural product quality schemes presents **three complementary schemes** (designations of origin and geographical indications; traditional specialities guaranteed; optional quality terms) in a **single regulatory structure**, overseen by a **single quality policy committee**. A separate Regulation covers the Marketing Standards.

1. Designations of origin and geographical indications, excluding wines, aromatised wines and spirits: the proposal maintains and reinforces the scheme for agricultural products and foodstuffs, but does not bring together the geographical indications schemes for wines, for spirits, or for aromatized wines. In the light of relatively recent reforms of the wine and spirits legislation, at this stage, the schemes should remain distinct. This issue can be reconsidered at a later date. In the meantime, the rules for the scheme for agricultural products and foodstuffs will be converged, where appropriate, to those for wines.

The main elements designed to strengthen and simplify the scheme are the following:

- recognition of the roles and responsibilities of groups applying for registration of names with regard to monitoring, promotion and communication;
- the reinforcement and clarification of the level of protection of registered names and the common Union symbols;
- the procedure to register names is shortened;

- the respective roles of Member States and groups applying for registration have been clarified with regard to the enforcement of protection of the registered names throughout the European Union, and
- the definitions of designations of origin and geographical indications are more closely aligned to international usage.

The proposal streamlines the current process of registration of designations of origin and geographical indications by shortening time delays. In addition, certain legal issues are clarified and terminology aligned with the recently adopted legislation on geographical indications for wine.

Minimum common rules on official controls to ensure product follows the specification and to ensure correct labelling in the marketplace are also laid down.

The scope of the Regulation is maintained (agricultural products for human consumption and certain other products), while dark chocolate is added.

2. Traditional specialities guaranteed: the proposal maintains the scheme for reservation of names of traditional specialities guaranteed across the European Union, but discontinues the option of registering names without reservation. The function of giving publicity, but not protection, to traditional products is best accomplished at national (or regional) level, and European Union action cannot be justified.

The renewed European Union scheme for traditional specialities guaranteed is simplified (registration process streamlined by shortening delays, procedures aligned on PDO-PGI ones) and targeted in several respects: (i) **the criterion of tradition is extended to 50 years** (from 25 years) to reinforce the credibility of the scheme; (ii) the scheme is restricted to prepared meals and processed product; (iii) and definitions and procedural requirements are substantially simplified to improve understanding of the scheme.

3. Optional quality terms: concerning the optional quality terms, which have in common with the quality schemes that they are optional and assist farmers to identify value-adding characteristics and attributes of product in the marketplace, it is proposed to bring these into the present regulation. The optional quality terms are not amended in content, but adapted to the legislative framework of the Treaty on the Functioning of the European Union.

Further study and analysis will be carried out in order to assess the problems faced by producers of **mountain products** in labelling their products on the market. On the basis of the results of this analysis, the Commission may propose appropriate follow-up.

BUDGETARY IMPLICATION: none of the European Union schemes have budgetary implications. However, it has been shown necessary for the Commission to take a more active role to protect the names of the quality schemes and the Union symbols, particularly in third countries. To achieve this, additional budgetary resources are necessary.

The initial estimate of appropriations necessary for measures in particular for the registration and defence of logos, indications and abbreviations in 3rd countries amounts to EUR 110 000 in 2012 and EUR 150 000 annually as from 2013. The funding foreseen in 2014 and 2015 is subject to the availability of appropriations in these years.

Quality schemes for agricultural products and foodstuffs

2010/0353(COD) - 14/04/2011

The Council had an **exchange of views** on a proposal for a regulation on agricultural product quality schemes. It should be noted that the Commission drew up the "quality package", which consists of a set of proposals designed to put in place a coherent agricultural product quality policy aimed at assisting farmers to better communicate the qualities, characteristics and attributes of agricultural products to consumers, on the basis of the Council conclusions of 22 and 23 June 2009 on agricultural product quality.

The "quality package" consists of two texts:

- a proposal for a regulation on agricultural product quality schemes;
- a proposal amending the "Single CMO" regulation, (regulation No 1234/2007).

Delegations generally welcomed the Presidency's views on a '**local farming and direct sales**' scheme because of the development of this particular sector and consumer demand. However some Member States feared that this scheme could constitute an administrative burden and insisted on keeping the simplification of CAP legislation in mind. In addition, many Member States do not want a European scheme on this issue to interfere with national measures already in place.

Most delegations are in favour of rules for the **products of mountain farming** supported by the "quality package", but insist on definitions and criteria for such production. Some delegations mentioned the possibility of developing rules for agricultural products coming from very specific areas.

On both issues, many Member States are waiting for the impact assessments scheduled by the Commission before giving a definitive view.

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.

Quality schemes for agricultural products and foodstuffs

2010/0353(COD) - 21/11/2012 - Final act

PURPOSE: to adopt a coherent agricultural product quality policy.

LEGISLATIVE ACT: Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs.

CONTENT: the Council adopted a regulation on **quality schemes for agricultural products and foodstuffs** following a first reading agreement with the European Parliament.

The measures set out in this Regulation are intended to support agricultural and processing activities and the farming systems associated with high quality products, thereby contributing to the achievement of rural development policy objectives.

The main elements of the regulation include: (i) the reinforcement of the existing scheme for protected designations of origin and geographical indications (PDOs and PGIs); (ii) overhauling the traditional specialities guaranteed scheme (TSGs), and (iii) laying down a new framework for the development of optional quality terms to provide consumers with further information.

This Regulation shall not apply to spirit drinks, aromatised wines or grapevine products as defined in Annex XIb to Regulation (EC) No 1234/2007.

1. As regards the PDOs and PGIs, the main elements designed to strengthen and simplify the scheme are the following:

- The recognition of the roles and responsibilities of groups applying for registration of names with regard to monitoring, promotion and communication. Under certain circumstances, a group is entitled to:

- contribute to ensuring that the quality, reputation and authenticity of their products are guaranteed on the market;
- take action to ensure adequate legal protection of the protected designation of origin or protected geographical indication and of the intellectual property rights that are directly connected with them;
- develop information and promotion activities aiming at communicating the value-adding attributes of the product to consumers.

- The reinforcement and clarification of the level of protection of registered names and the common EU symbols.

- A protected designation of origin or a protected geographical indication shall comply with a **specification** which shall include at least: (a) the name to be protected as a designation of origin or geographical indication, as it is used, whether in trade or in common language, and only in the languages which are or were historically used to describe the specific product in the defined geographical area.
- In the case of products originating in the Union that are marketed under a protected designation of origin or a protected geographical indication registered in accordance with the procedures laid down in this Regulation, the **Union symbols** associated with them shall appear on the labelling. In addition, the registered name of the product should appear in the same field of vision. 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.
- In order to **protect registered names**, Member States shall take appropriate administrative and judicial steps to prevent or stop the unlawful use of protected designations of origin and protected geographical indications. To that end, they shall designate the authorities that are

responsible for taking these steps in accordance with procedures determined by each individual Member State. These authorities shall offer adequate guarantees of objectivity and impartiality, and shall have at their disposal the qualified staff and resources necessary to carry out their functions.

- The Commission shall adopt implementing acts establishing and maintaining a **publicly accessible updated register** of protected designations of origin and protected geographical indications recognised under this scheme.

- The shortening of procedure to register names: the registration procedure for protected designations of origin, protected geographical indications and traditional specialities guaranteed, including the scrutiny and the opposition periods, is shortened and improved, in particular as regards decision making. The Commission, in certain circumstances acting with the assistance of Member States, should be responsible for decision-making on registration. Procedures should be laid down to allow the amendment of product specifications after registration and the cancellation of registered names, in particular if the product no longer complies with the corresponding product specification or if a name is no longer used in the market place.

2. Traditional specialities guaranteed (TSG): a scheme for traditional specialities guaranteed is established to safeguard traditional methods of production and recipes by helping producers of traditional product in marketing and communicating the value-adding attributes of their traditional recipes and products to consumers.

The **time period for a product to be considered traditional** in the definition of TSGs **is set to 30 years** as some Member States had difficulties justifying 50 years of use (as originally proposed by the Commission.

The renewed EU scheme for TSGs is **simplified** (registration process streamlined by shortening delays, procedures aligned on PDO-PGI ones) and targeted in several respects to reinforce the credibility of the scheme.

In the case of the products originating in the Union that are marketed under a traditional speciality guaranteed that is registered in accordance with this Regulation, the **Union symbol** shall appear on the labelling. In addition, the **name of the product** should appear in the same field of vision. The indication 'traditional speciality guaranteed' or the corresponding abbreviation 'TSG' may also appear on the labelling.

3. Optional quality terms: a scheme for optional quality terms is established in order to facilitate the communication within the internal market of the value-adding characteristics or attributes of agricultural products by the producers thereof.

A new optional quality term has been introduced in the regulation: "**mountain product**". This term shall only be used to describe products intended for human consumption in respect of which: (a) both the raw materials and the feedstuffs for farm animals come essentially from mountain areas; (b) in the case of processed products, the processing also takes place in mountain areas.

Also, no later than 4 January 2014, the Commission will have to assess whether to create one on "**product of island farming**" and "**local farming and direct sales**".

ENTRY INTO FORCE: 03/01/2013 (certain provisions shall apply from 04/01/2016).

DELEGATED ACTS: the Commission may adopt delegated acts in respect of supplementing the list of products set out in Annex I to this Regulation; establishing the restrictions and derogations with regard to the sourcing of feed in the case of a designation of origin; establishing the Union symbols. The power to adopt delegated acts shall be conferred on the Commission for a period of **five years from 3 January 2013** (this period as may be tacitly extended for periods of an identical duration, unless the European Parliament or the Council oppose). The European Parliament or the Council may object to a delegated act within a period of **two months** from the date of notification (this period may be extended by two months). If the European Parliament or the Council objects, the delegated act shall not enter into force.

Quality schemes for agricultural products and foodstuffs

2010/0353(COD) - 06/12/2013 - Follow-up document

In accordance with the requirements of Regulation (EU) No 1151/2012 on quality schemes for agricultural products and foodstuffs, the Commission presents a report examining the socio-economic and environmental implications of local farming and direct sales and discussing possibilities for introducing an EU-level labelling tool. A set of questions is attached in the Annex to the Report to steer this debate.

The report recalls that in its resolution on 'Future of the CAP after 2013', the European Parliament makes clear that improving competitiveness at different levels, including local markets, should be a fundamental objective of the CAP post-2013. Similarly, in its resolution on 'Fair revenues for farmers: A better functioning food supply chain in Europe', Parliament calls on the Commission to propose the adoption of instruments to support farmer-managed food supply chains, in order to establish a direct relationship with consumers and to enable farmers to obtain a fairer share of the value of the final sale price.

- There is a demand for a genuine farm product sold in short food supply chains, as well as the need to identify it. Empirical studies on purchasing behaviour indicate a high level of interest in buying local food. One study indicates that in the United Kingdom, 70% want to buy local, nearly 50% want to buy more of it in the future, and 60% are currently buying local. 71% of French and 47% of Spanish and British consumers claim that it is important to buy local products. The report also notes that activities to meet the growing demand for local products can strengthen and develop the competitiveness of rural areas;

- There are large differences among the Member States with regard to development of direct sales which are likely due to national and regional differences in farm structures, distribution channels and cultural differences. On average, about 15% of farms sell more than 50% of their production directly to consumers, with significant differences among Member States: ranging from almost one quarter of all farms in Greece to 0.1% in Spain.

- As detailed in the Commission Staff Working Document, the development of short supply chains faces numerous challenges which should be addressed with tools other than a labelling scheme. Challenges include issues relating to public procurement, and structural and logistical issues. There are a number of instruments available at EU and national level, but these are not applied consistently. Stakeholders consider that some EU rules impede the development of local farming.

- A possible new label should be simple and unburdensome for producers while at the same time being controllable and ensuring sufficient credibility for consumers. It should also aim at reducing the risk for consumer confusion although existing EU legislation, if correctly enforced, allows action to be taken against misleading practices.

A new label could add value to products generated from local agriculture if it went beyond direct sales and if Member States were to ensure that it is integrated with or linked to other measures. Expert advice indicates that if a labelling scheme were to be created, it should: (i) be optional for producers; (ii) avoid certification and accreditation procedures which are perceived as lengthy and costly; (iii) provide for clear eligibility criteria for products included in the scheme.

Quality schemes for agricultural products and foodstuffs

2010/0353(COD) - 16/12/2013 - Follow-up document

In accordance with the requirements of Regulation (EU) No 1151/2012 on quality schemes for agricultural products and foodstuffs, the Commission presents a report on the case for an optional quality term ‘product of island farming’. The report examines the socio-economics and specificities of island farming, reviews existing labelling schemes and reflects on the merits of establishing an optional quality term (OQT) for ‘product of island farming’.

Situation with regard to island farming: two major product groups predominate: fruit and vegetables, and specialised crops like olives and wine. The total production value of these two groups represents 4.7 % and 3.6 % of the EU total in the respective sectors and close to 60 % of the total value of EU islands’ agricultural production, as against only 30 % in the EU as a whole.

The report contains certain findings.

- Island agriculture has some common features, but these relate mainly to **structural challenges rather than specificities reflected in the products**. These challenges are already subject to various measures such as the Structural Funds, rural development programmes, direct aid schemes under the common agricultural policy, transport policy, research programmes, local development strategies, etc.

- The structural challenges can be regarded as having a positive impact on the qualities/characteristics of island products and on production methods (e.g. by maintaining quality, know-how and raw materials, and improving local processing techniques).

- While combinations of natural and human factors can result in particular characteristics in island products, these are normally specific to a given island. As islands are very diverse, it seems unrealistic to identify specific characteristics common to all their products, or at least to Annex I products for human consumption.

Existing schemes: the paper outlines existing schemes such as protected designations of origin (PDOs) and protected geographical indications (PGIs), as well as the RUP logo but points out that not all island agrifood products benefit from these schemes and public or private initiatives to improve quality and add value on the market. For example, only around 5 % (in value terms) are covered by PDOs/PGIs and the RUP logo, while used, targets specific outermost region products that satisfy certain requirements. On the other hand, many private standards have been put in place referring often to specific geographical origin. However, the situation seems uneven between islands across the EU.

Arguments in favour of a ‘product of island farming’ optional quality term (OQT).

- As a voluntary instrument imposing a relatively light administrative, control and budgetary burden, an OQT might suit some small-scale producers, in particular on small islands not benefitting from a sufficient scale to engage in other marketing tools (such as collective, certification and territorial brands, PDOs/PGIs and the RUP logo). This would only be relevant for a small part of island products.

- Besides functioning as a communication and marketing tool, an OQT could **add value to some island farming products**, in particular if Member States were to ensure that it is integrated with or linked to other measures.

Arguments against

- A ‘product of island farming’ OQT could **penalise producers** already engaged in quality schemes by placing them in competition. There is a risk of diluting existing initiatives (territorial marks, PDO/PGIs, etc.) which are subject to stricter control and/or certification and therefore extra costs.

- The fact that there are currently no generic labels for island products (labelling and promotion refer to specific islands) is an indication that the **‘island’ concept is not considered sufficiently strong** or appropriate to convey particular messages to consumers. The only example that comes close to sending such a message, the RUP logo, has a limited scope of application. An OQT could negatively impact these existing scheme.

- As most island products are not exported but sold locally or on the mainland of the Member State in question, it can be argued that regulation of labelling claims could be **better addressed at Member State level.**

- The range of potentially eligible OQT products is likely to be severely limited by the obligations set out in Regulation (EU) No 1151/2012 in terms of sourcing of raw materials, processing requirements and limitation to Annex I products.
- The structural problems faced by islands might be addressed by the existing structural instruments.

The Commission invites the European Parliament and the Council to discuss this report and welcomes their feedback.