

Foodstuffs, wine, and spirit GIs

A comparison of applicable legislation

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	FOODSTUFFS	WINE	SPIRITS
Regulation	R (EU)1151/2012 http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:343:0001:0029:en:PDF	R (EU)1308/2013 http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:347:0671:0854:EN:PDF	R (EC)110/2008 (consolidated) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2008R0110:20130701:EN:PDF R (EU) No 716/2013 (implementing regulation) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:201:0021:0030:EN:PDF
Objective	Article 4 : Objective A scheme for protected designations of origin and protected geographical indications is established in order to help producers of products linked to a geographical area by: (a) securing fair returns for the qualities of their products; (b) ensuring uniform protection of the names as an intellectual property right in the territory of the Union; (c) providing clear information on the value-adding attributes of the product to consumers.	Article 92.2 : Scope 2. The rules referred to in paragraph 1 shall be based on: (a) protecting the legitimate interests of consumers and producers; (b) ensuring the smooth operation of the internal market in the products concerned; and (c) promoting the production of quality products referred to in this Section, whilst allowing national quality policy measures.	
Scope	Article 2 : Scope 1. This regulation covers <u>agricultural products intended for human consumption</u> listed in Annex I to the Treaty and other agricultural products and foodstuffs listed in Annex I to this Regulation. (...) 2. This regulation shall not apply to spirit drinks, aromatised wines or grapevine products as defined in Annex XIb to Regulation (EC) No 1234/2007, with the exception of wine-vinegars. (...)	Article 92.1 : Scope 1. Rules on designations of origin, geographical indications and traditional terms laid down in this Section shall apply to the products referred to in points 1 ¹ , 3 to 6 ² , 8 ³ , 9 ⁴ , 11 ⁵ , 15 ⁶ and 16 ⁷ of Part II of Annex VII ⁸ . (...)	Article 1 : Subject matter and scope 1. This Regulation lays down rules on the definition, description, presentation and labelling of spirit drinks as well as on the protection of geographical indications of spirit drinks. 2. This regulation shall apply to <u>all spirit drinks</u> placed on the market in the Community whether produced in the Community or in third countries, as well as to those produced in the Community for export. (...) See 'Article 2 : Definition of spirit drink'

¹ wine

² liqueur wine, sparkling wine, quality sparkling wine, quality aromatic sparkling wine

³ semi-sparkling wine

⁴ aerated semi-sparkling wine

⁵ partially fermented grape must

⁶ wine from raisined grapes

⁷ wine of overripe grapes

⁸ "Annex VIII" to be corrected to "Annex VII" in EN version

Article 5.1 : Requirements for DoO and GIs

1. For the purpose of this Regulation, 'designation of origin' is a name which identifies a product:

- (a) originating in a specific place, region or, in exceptional cases, a country;
- (b) whose quality or characteristics are essentially or exclusively due to a particular geographical environment with its inherent natural and human factors; and
- (c) the production steps of which all take place in the defined geographical area.

Article 93 : Definitions

1. For the purposes of this Section, the following definitions shall apply :

(a) "a designation of origin" means the name of a region, a specific place or, in exceptional and duly justifiable cases, a country used to describe a product (...) fulfilling the following requirements:

- (i) the quality and characteristics of the product are essentially or exclusively due to a particular geographical environment with its inherent natural and human factors;
- (ii) the grapes from which the product is produced come exclusively from that geographical area;
- (iii) the production takes place in that geographical area; and
- (iv) the product is obtained from vine varieties belonging to *Vitis vinifera*; (...)

4. Production as referred to in point (a)(iii) of paragraph 1 shall cover all the operations involved, from the harvesting of the grapes to the completion of the wine-making processes, with the exception of any post-production processes.

DoO - Special provisions	<p>Article 5.3 : Requirements for DoO and GIs</p> <p>3. Notwithstanding paragraph 1, certain names shall be treated as designations of origin even though <u>the raw materials for the products concerned come from a geographical area larger than</u>, or different from, the defined geographical area, provided that:</p> <p>(a) the production area of the raw materials is defined;</p> <p>(b) special conditions for the production of the raw materials exist;</p> <p>(c) there are control arrangements to ensure that the conditions referred to in point (b) are adhered to; and</p> <p>(d) the designations of origin in question were <u>recognised as designations of origin in the country of origin before 1 May 2004</u>.</p> <p><u>Only live animals, meat and milk</u> may be considered as raw materials for the purposes of this paragraph.</p>	<p>Article 93.2 : Definitions</p> <p>2. Certain traditionally used names shall constitute a designation of origin where they:</p> <p>(a) designate a wine;</p> <p>(b) refer to a geographical name;</p> <p>(c) fulfil the requirements referred to in points (a)(i) to (iv) of paragraph 1; and</p> <p>(d) have undergone the procedure conferring protection on designations of origin and geographical indications laid down in this Subsection.</p>	
Definition - Geographical Indication	<p>Article 5.2 : Requirements for DO and GIs</p> <p>2. For the purpose of this Regulation, 'geographical indication' is a name which identifies a product:</p> <p>(a) originating in a specific place, region or country;</p> <p>(b) whose given quality, reputation or other characteristic is essentially attributable to its geographical origin; and</p> <p>(c) <u>at least one of the production steps</u> of which take place in the defined geographical area.</p>	<p>Article 93 : Definitions</p> <p>1. (...) (b) "a geographical indication" means an indication referring to a region, a specific place or, in exceptional and duly justifiable cases, a country, used to describe a product (...) fulfilling the following requirements:</p> <p>(i) it possesses a specific quality, reputation or other characteristics attributable to that geographical origin;</p> <p>(ii) <u>at least 85 % of the grapes used for its production come exclusively from that geographical area</u>;</p> <p>(iii) its production takes place in that geographical area; and</p> <p>(iv) it is obtained from vine varieties belonging to Vitis vinifera or a cross between the Vitis vinifera species and other species of the genus Vitis. (...)</p> <p>5. For the purpose of the application of point (b)(iii) of paragraph 1, the maximum 15% share of grapes which may originate outside the demarcated area shall originate from the Member State or third country in which the demarcated area is situated.</p>	<p>Article 15.1 : Geographical indications</p> <p>1. For the purpose of this Regulation a geographical indication shall be an indication which identifies a spirit drink as originating in the territory of a country, or a region or locality in that territory, where a given quality, reputation or other characteristic of that spirit drink is essentially attributable to its geographical origin.</p>

Article 8 : Content of application for registration

1. An application for registration of a designation of origin or geographical indication pursuant to Article 49(2) or (5) shall include at least:

(a) the name and address of the applicant group and of the authorities or, if available, bodies verifying compliance with the provisions of the product specification;

(b) the product specification provided for in art. 7;

(c) a single document setting out the following:

(i) the main points of the product specification: the name, a description of the product, including, where appropriate, specific rules concerning packaging and labelling, and a concise definition of the geographical area;

(ii) a description of the link between the product and the geographical environment or geographical origin referred to in Article 5(1) or (2), as the case may be, including, where appropriate, the specific elements of the product description or production method justifying the link. (...)

2. An application dossier referred to in Article 49(4) shall comprise:

(a) the name and address of the applicant group;

(b) the single document referred to in point (c) of paragraph 1 of this Article;

(c) a declaration by the Member State that it considers that the application lodged by the applicant group and qualifying for the favourable decision meets the conditions of this Regulation and the provisions adopted pursuant thereto;

(d) the publication reference of the product specification.

Article 49.6 : Application for registration of names

6. The documents referred to in this article which are sent to the Commission shall be in one of the official languages of the Union.

Article 94.1 : Applications for protection

1. Applications for protection of names as designations of origin or geographical indications shall include a technical file containing:

(a) the name to be protected;

(b) the name and address of the applicant;

(c) a product specification, as referred to in paragraph 2; and

(d) a single document summarising the product specification referred to in paragraph 2.

Article 15.4 : Geographical indications

4. Spirit drinks bearing a geographical indication registered in Annex III shall comply with all the specifications of the technical file provided for under Art. 17(1).

Article 17 : Registration of GIs

1. An application for a geographical indication to be registered in Annex III shall be submitted to the Commission in one of the official languages of the European Union or accompanied by a translation into one of those languages. That application shall be duly substantiated and shall include a technical file setting out the specifications with which the spirit drink concerned must comply.

2. With regard to geographical indications within the Community, the application referred to in paragraph 1 shall be made by the Member State of origin of the spirit drink.

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Article 6 : Application for the registration of a GI

The application for registration of a geographical indication in Annex III to Regulation (EC) No 110/2008 shall be submitted to the Commission and consist of:

(a) the application form, according to the model set out in Annex I to this Regulation;

(b) the technical file, according to the model set out in Annex II to this Regulation;

(c) the main specifications of the technical file referred to in point (b).

Article 7 : Product specification

1. 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;

(b) a description of the product, including the raw materials, if appropriate, as well as the principal physical, chemical, microbiological or organoleptic characteristics of the product;

(c) the definition of the geographical area delimited with regard to the link referred to in point (f)(i) or (ii) of this paragraph, and, where appropriate, details indicating compliance with the requirements of Article 5(3);

(d) evidence that the product originates in the defined geographical area referred to in Article 5(1) or (2);

(e) a description of the method of obtaining the product and, where appropriate, the authentic and unvarying local methods as well as information concerning packaging, if the applicant group so determines and gives sufficient product-specific justification as to why the packaging must take place in the defined geographical area to safeguard quality, to ensure the origin or to ensure control, taking into account Union law, in particular that on the free movement of goods and the free provision of services;

(f) details establishing the following:

(i) the link between the quality or characteristics of the product and the geographical environment referred to in Article 5(1); or

(ii) where appropriate, the link between a given quality, the reputation or other characteristic of the product and the geographical origin referred to in Article 5(2);

(g) the name and address of the authorities or, if available, the name and address of bodies verifying compliance with the provisions of the product specification pursuant to Article 37 and their specific tasks;

(h) any specific labelling rule for the product in question.

Article 94.2 : Applications for protection

2. The product specification shall enable interested parties to verify the relevant conditions of production relating to the designation of origin or geographical indication.

The product specification shall at least consist of:

(a) the name to be protected

(b) a description of the wine or wines:

(i) in respect of a designation of origin, the principal analytical and organoleptic characteristics;

(ii) in respect of a geographical indication, the principal analytical characteristics as well as an evaluation or indication of its organoleptic characteristics;

(c) where applicable, the specific oenological practices used to make the wine or wines, as well as the relevant restrictions on making them;

(d) the demarcation of the geographical area concerned;

(e) the maximum yields per hectare;

(f) an indication of the wine grape variety or varieties that the wine or wines are obtained from;

(g) the details bearing out the link referred to in point (a)(i) or, as the case may be, in point (b)(i) of Article 93(1);

(h) applicable requirements laid down in Union or national legislation or, where provided for by Member States, by an organisation which manages the protected designation of origin or the protected geographical indication, having regard to the fact that such requirements must be objective, non-discriminatory and compatible with Union law;

(i) the name and address of the authorities or bodies verifying compliance with the provisions of the product specification, and their specific tasks.

Article 113.2 : Protection

2. Traditional terms shall be protected, only in the language (...) claimed in the application.

Article 17.4 : Registration of GIs

4. The technical file referred to in paragraph 1 shall include at least the following main specifications:

(a) the name and category of the spirit drink including the geographical indication;

(b) a description of the spirit drink including the principal physical, chemical and/or organoleptic characteristics of the product as well as the specific characteristics of the spirit drink as compared to the relevant category;

(c) the definition of the geographical area concerned;

(d) a description of the method for obtaining the spirit drink and, if appropriate, the authentic and unvarying local methods;

(e) the details bearing out the link with the geographical environment or the geographical origin;

(f) any requirements laid down by Community and/or national and/or regional provisions;

(g) the name and contact address of the applicant;

(h) any supplement to the geographical indication and/or any specific labelling rule, according to the relevant technical file.

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Article 10 : Packaging in the geographical area concerned

If the technical file sets out that packaging of the spirit drink must take place within the demarcated geographical area or in an area in its immediate proximity, justification for this requirement shall be given in respect of the product concerned.

Article 17 : Use of languages

The geographical indication shall be registered in the language(s) used to describe the product in question in the geographical area concerned and with its original spelling.

Applicants	<p>Article 49 : Application for registration of names</p> <p>1. Applications for registration of names under the quality schemes referred to in Article 48 may only be submitted by groups who work with the products with the name to be registered_ (...) </p> <p>A single natural or legal person may be treated as a group where it is shown that both of the following conditions are fulfilled:</p> <p>(a) the person concerned is the only producer willing to submit an application;</p> <p>(b) with regard to protected designations of origin and protected geographical indications, the defined geographical area possesses characteristics which differ appreciably from those of neighbouring areas or the characteristics of the product are different from those produced in neighbouring areas.</p>	<p>Article 95 : Applicants</p> <p>1. Any interested group of producers, or in exceptional and duly justifiable cases a single producer, may apply for the protection of a designation of origin or geographical indication. <u>Other interested parties may participate in the application.</u></p> <p>2. Producers may apply for protection only for wines which they produce. (...)</p>	<p>Article 17.2 : Registration of GIs</p> <p>2. With regard to geographical indications within the Community, <u>the application referred to in paragraph 1 shall be made by the Member State of origin of the spirit drink.</u></p>
Third country rules	<p>Article 12.6 : Names, symbols and indications</p> <p>6. In case of products originating in third countries marketed under a name entered in the register, the indications referred to in paragraph 3 or Union symbols associated with them may appear on the labelling.</p> <p>Article 49.5 : Application for registration of names</p> <p>5. Where the application under the scheme set out in Title II relates to a geographical area in a third country, or where an application under the scheme set out in Title III is prepared by a group established in a third country, the application shall be lodged with the Commission, either directly or via the authorities of the third country concerned.</p> <p>Article 8 : Content of application for registration</p> <p>1. (...) An application as referred to in Article 49(5) shall, in addition, include proof that the name of the product is protected in its country of origin. (...)</p>	<p>Article 93.3 : Definitions</p> <p>3. Designations of origin and geographical indications, including those relating to geographical areas in third countries, shall be eligible for protection in the Union in accordance with the rules laid down in this Subsection.</p> <p>Article 94.3 : Applications for protection</p> <p>3. Where the application for protection concerns a geographical area in a third country, it shall contain, in addition to the elements provided for in paragraphs 1 and 2, proof that the name concerned is protected in its country of origin.</p>	<p>Article 1.3 : Subject matter and scope</p> <p>3. In exceptional cases where the law of the importing third country so requires, a derogation may be granted from the provisions of Annexes I and II in accordance with the regulatory procedure with scrutiny referred to in Article 25(3).</p> <p>Article 17.3 : Registration of GIs</p> <p>3. With regard to geographical indications within a third country, the application referred to in paragraph 1 shall be sent to the Commission, either directly or via the authorities of the third country concerned, and shall include proof that the name in question is protected in its country of origin.</p>

Article 49 : Application for registration of names

1. (...) In the case of a ‘protected designations of origin’ or ‘protected geographical indications’ name that designates a trans-border geographical area or in the case of a ‘traditional specialities guaranteed’ name, several groups from different Member States or third countries may lodge a joint application for registration.

Article 95 : Applicants

3. In the case of a name designating a trans-border geographical area or a traditional name connected to a trans-border geographical area, a joint application may be submitted.

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Article 7 : Trans-border applications

1. Where a trans-border geographical indication involves only Member States, the relevant application shall be submitted jointly or by one of the Member States in the name of the others. In the latter case, the application shall include a document from each of the other Member States concerned authorising the Member State forwarding the application to act on its behalf.

Where a trans-border geographical indication involves only third countries, the relevant application shall be submitted to the Commission either by one of the applicants on behalf of the others or by one of the third countries on behalf of the others and shall include:

- (a) the proof of protection in the third countries concerned; and
- (b) a document from each of the other third countries concerned authorising the third country submitting the application to act on its behalf.

Where a trans-border geographical indication involves at least one Member State and at least one third country, the application shall be submitted to the Commission by one of the Member States, third-country authorities or private entities from the third country in question and shall include:

- (a) the proof of protection in the third countries concerned; and
- (b) a document from each of the Member States or third countries concerned authorising the party forwarding the application to act on its behalf.

2. The Member State or the third-country authority or the private entity from the third country in question which submits to the Commission a trans-border application shall become the consignee of any notification or decision issued by the Commission

Article 49 : Application for registration of names

2. Where the application under the scheme set out in Title II relates to a geographical area in a Member State, (or where an application under the scheme set out in Title III is prepared by a group established in a Member State), the application shall be addressed to the authorities of that Member State.

The Member State shall scrutinise the application by appropriate means in order to check that it is justified and meets the conditions of the respective scheme.

3. As part of the scrutiny referred to in the second subparagraph of paragraph 2 of this Article, the Member State shall initiate a national opposition procedure that ensures adequate publication of the application and that 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 opposition to the application.

The Member State shall examine the admissibility of oppositions received under the scheme set out in Title II in the light of the criteria referred to in Article 10(1), or the admissibility of oppositions received under the scheme set out in Title III in the light of the criteria referred to in Article 21(1).

4. If, after assessment of any opposition received, the Member State considers that the requirements of this Regulation are met, it may take a favourable decision and lodge an application dossier with the Commission. It shall in such case inform the Commission of admissible oppositions received from a natural or legal person that have legally marketed the products in question, using the names concerned continuously for at least five years preceding the date of the publication referred to in paragraph 3.

The Member State shall ensure that its favourable decision is made public and that any natural or legal person having a legitimate interest has an opportunity to appeal.

The Member State shall ensure that the version of the product specification on which its favourable decision is based, is published, and shall provide electronic access to the product specification.

With reference to protected designations of origin and protected geographical indications, the Member State shall also ensure adequate publication of the version of the product specification on which the Commission takes its decision pursuant to Article 50(2).

Article 96 : Preliminary national procedure

1. Applications for protection of a designation of origin or a geographical indication for wines originating in the Union shall be subject to a preliminary national procedure.

2. The application for protection shall be filed with the Member State in the territory of which the designation of origin or geographical indication originates.

3. The Member State with which the application for protection is filed shall examine it in order to verify whether it meets the conditions set out in this Subsection.

That Member State shall carry out a national procedure ensuring adequate publication of the application and providing for a period of at least two months from the date of publication within which any natural or legal person having a legitimate interest and resident or established on its territory may object to the proposed protection by lodging a duly substantiated statement with that Member State.

4. If the Member State assessing the application considers that the designation of origin or the geographical indication does not comply with the conditions laid down in this Subsection or is incompatible with Union law, it shall reject the application.

5. If the Member State assessing the application considers that the requirements are fulfilled, it shall carry out a national procedure which ensures adequate publication of the product specification at least on the Internet and forward the application to the Commission.

Scrutiny by the commission	<p>Article 50 : Scrutiny by the Commission and publication for opposition</p> <p>1. The Commission shall scrutinise by appropriate means any application that it receives pursuant to Article 49, in order to check that it is justified and that it meets the conditions of the respective scheme. This scrutiny should not exceed a period of six months. Where this period is exceeded, the Commission shall indicate in writing to the applicant the reasons for the delay.</p> <p>The Commission shall, at least each month, make public the list of names for which registration applications have been submitted to it, as well as their date of submission.</p> <p>2. Where, based on the scrutiny carried out pursuant to the first subparagraph of paragraph 1, the Commission considers that the conditions laid down in this Regulation are fulfilled, it shall publish in the Official Journal of the European Union:</p> <p>(a) for applications under the scheme set out in Title II, the single document and the reference to the publication of the product specification;</p> <p>(b) for applications under the scheme set out in Title III, the specification.</p>	<p>Article 97 : Scrutiny by the Commission</p> <p>1. The Commission shall make public the date of submission of the application for protection of the designation of origin or geographical indication.</p> <p>2. The Commission shall examine whether the applications for protection as referred to in Article 94 meet the conditions laid down in this Subsection.</p> <p>3. Where the Commission considers that the conditions laid down in this Subsection are met, it shall adopt implementing acts concerning the publication, in the Official Journal of the European Union, of the single document referred to in point (d) of Article 94(1) and of the reference to the publication of the product specification made in the course of the preliminary national procedure. Those implementing acts shall be adopted without applying the procedure referred to in Article 229(2) or (3).</p>	<p>Article 17 : Registration of GIs</p> <p>5. The Commission shall verify, within 12 months of the date of submission of the application referred to in paragraph 1, whether that application complies with this Regulation.</p> <p>6. If the Commission concludes that the application referred to in paragraph 1 complies with this Regulation, the main specifications of the technical file referred to in paragraph 4 shall be published in the <i>Official Journal of the European Union</i>, C Series. (...)</p>
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Objection procedure	<p>Article 10 : Grounds for opposition</p> <p>1. A reasoned statement of opposition as referred to in Article 51(2) shall be admissible only if it is received by the Commission within the time limit set out in that paragraph and if it:</p> <p>(a) shows that the conditions referred to in Article 5 and Article 7(1) are not complied with;</p> <p>(b) shows that the registration of the name proposed would be contrary to Article 6(2), (3) or (4);</p> <p>(c) shows that the registration of the name proposed would jeopardise the existence of an entirely or partly identical name or of a trade mark or the existence of products which have been legally on the market for at least five years preceding the date of the publication provided for in point (a) of Article 50(2); or</p> <p>(d) gives details from which it can be concluded that the name for which registration is requested is a generic term.</p> <p>2. The grounds for opposition shall be assessed in relation to the territory of the Union.</p> <p>Article 51.1 : Opposition procedure</p> <p>1. Within three months from the date of publication in the Official Journal of the European Union, the authorities of a Member State or of a third country, or a natural or legal person having a legitimate interest and established in a third country may lodge a notice of opposition with the Commission.</p> <p>Any natural or legal person having a legitimate interest, established or resident in a Member State other than that from which the application was submitted, may lodge a notice of opposition with the Member State in which it is established within a time limit permitting an opposition to be lodged pursuant to the first subparagraph.</p> <p>A notice of opposition shall contain a declaration that the application might infringe the conditions laid down in this Regulation. A notice of opposition that does not contain this declaration is void.</p>	<p>Article 98 : Objection procedure</p> <p>Within two months from the date of the publication of the single document as referred to in point (d) of Article 94(1), any Member State or third country, or any natural or legal person having a legitimate interest and resident or established in a Member State other than that applying for the protection or in a third country, may object to the proposed protection by submitting to the Commission a duly substantiated statement concerning the conditions of eligibility as laid down in this Subsection.</p> <p>In the case of natural or legal persons resident or established in third countries, such a statement shall be submitted, either directly or via the authorities of the third country concerned, within the two month period referred to in the first paragraph.</p>	<p>Article 17.7 : Registration of GIs</p> <p>7. Within six months of the date of publication of the technical file, any natural or legal person that has a legitimate interest may object to the registration of the geographical indication in Annex III on the grounds that the conditions provided for in this Regulation are not fulfilled. The objection, which must be duly substantiated, shall be submitted to the Commission in one of the official languages of the European Union or accompanied by a translation into one of those languages.</p> <hr/> <p>R 713/2013</p> <p>Article 14 : Admissibility of an objection</p> <p>1. The objection is admissible if it mentions the prior right(s) claimed, where relevant, and the ground(s) for the objection and it was received within the time period referred to in Article 17(7) of Regulation (EC) No 110/2008.</p> <p>2. If the objection is based on the existence of an earlier trademark of reputation and renown already used in the Union, in accordance with Article 23(3) of Regulation (EC) No 110/2008, it shall be accompanied by proof of the filing of an application for registration, registration or use of that trademark, such as the certificate of registration or proof of its use, and proof of its reputation and renown.</p> <p>3. Any objection shall contain details of the facts, evidence and comments submitted in support of the objection and be accompanied by the relevant supporting documents.</p> <p>The information and evidence produced in support of the use of an earlier trademark shall refer to location, duration, extent and nature of use and of its reputation and renown.</p> <p>4. If the information and the documents referred to in paragraphs 1, 2 and 3 have not been produced, the Commission shall invite the objector to remedy the deficiencies within a period of two months. If the deficiencies are not remedied within the time limit, the Commission shall reject the objection as inadmissible.</p>
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Article 51 : Opposition procedure

The Commission shall forward the notice of opposition to the authority or body that lodged the application without delay.

2. If a notice of opposition is lodged with the Commission and is followed within two months by a reasoned statement of opposition, the Commission shall check the admissibility of this reasoned statement of opposition.

3. Within two months after the receipt of an admissible reasoned statement of opposition, the Commission shall invite the authority or person that lodged the opposition and the authority or body that lodged the application to engage in appropriate consultations for a reasonable period that shall not exceed three months.

The authority or person that lodged the opposition and the authority or body that lodged the application shall start such appropriate consultations without undue delay. They shall provide each other with the relevant information to assess whether the application for registration complies with the conditions of this Regulation. If no agreement is reached, this information shall also be provided to the Commission.

At any time during these three months, the Commission may, at the request of the applicant extend the deadline for the consultations by a maximum of three months.

4. Where, following the appropriate consultations referred to in paragraph 3 of this Article, the details published in accordance with Article 50(2) have been substantially amended, the Commission shall repeat the scrutiny referred to in Article 50.

5. The notice of opposition, the reasoned statement of opposition and the related documents which are sent to the Commission in accordance with paragraphs 1 to 4 of this Article shall be in one of the official languages of the Union.

6. In order to establish clear procedures and deadlines for opposition, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, complementing the rules of the opposition procedure.

The Commission may adopt implementing acts laying down detailed rules on procedures, form and presentation of the oppositions. Those implementing acts shall be adopted in accordance with the examination procedure.

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Article 13 : Objection to the registration

1. Objections referred to in Article 17(7) of Regulation (EC) No 110/2008 shall be drawn up in accordance with the form set out in Annex III to this Regulation and submitted to the Commission. The date of submission of the objection shall be the date of its receipt by the Commission.

2. The objector shall receive an acknowledgement of receipt indicating at least the following:

- (a) the file number;
- (b) the number of pages received;
- (c) the date of receipt of the objection.

Article 15 : Scrutiny of an objection

1. If the objection is admissible, the Commission shall communicate it to the Member State, the third-country authority or the private entity from the third country in question and invite them to file observations within a period of two months. Any observations received within this time period shall be communicated to the objector.

2. The Commission shall request the parties to submit comments on the observations received from the other parties within a period of two months.

3. If the Commission considers that the objection is founded, it shall reject the application for registration. (...)

Decision on registration	<p>Article 52 : Decision on registration</p> <p>1. Where, on the basis of the information available to the Commission from the scrutiny carried out pursuant to the first subparagraph of Article 50(1), the Commission considers that the conditions for registration are not fulfilled, it shall adopt implementing acts rejecting the application. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).</p> <p>2. If the Commission receives no notice of opposition or no admissible reasoned statement of opposition under Article 51, it shall adopt implementing acts, without applying the procedure referred to in Article 57(2), registering the name.</p> <p>3. If the Commission receives an admissible reasoned statement of opposition, it shall, following the appropriate consultations referred to in Article 51(3), and taking into account the results thereof, either:</p> <p>(a) if an agreement has been reached, register the name by means of implementing acts adopted without applying the procedure referred to in Article 57(2), and, if necessary, amend the information published pursuant to Article 50(2) provided such amendments are not substantial; or</p> <p>(b) if an agreement has not been reached, adopt implementing acts deciding on the registration. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).</p> <p>4. Acts of registration and decisions on rejection shall be published in the <i>Official Journal of the European Union</i>.</p>	<p>Article 97.4 : Scrutiny by the Commission</p> <p>4. Where the Commission considers that the conditions laid down in this Subsection are not met, it shall adopt implementing acts rejecting the application.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 229(2).</p> <p>Article 99 : Decision on protection</p> <p>On the basis of the information available to the Commission upon the completion of the objection procedure referred to in Article 98, the Commission shall adopt implementing acts either conferring protection on the designation of origin or geographical indication which meets the conditions laid down in this Subsection and is compatible with Union law, or rejecting the application where those conditions are not met.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 229(2).</p> <p>Article 229 : Committee procedure</p> <p>2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.</p>	<p>Article 17.8 : Registration of GIs</p> <p>8. The Commission shall take the decision on registration of the geographical indication in Annex III in accordance with the regulatory procedure with scrutiny referred to in Article 25(3), taking into account any objection raised in accordance with paragraph 7 of this Article. That decision shall be published in the Official Journal of the European Union, C Series.</p> <p>Article 25.3 : Committee</p> <p>3. Where reference is made to this paragraph, Articles 5a and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.</p>
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Homonyms	<p>Article 6 : Generic nature, conflicts with names of plant varieties and animal breeds, with homonyms and trade marks</p> <p>(...)</p> <p>2. A name may not be registered as a designation of origin or geographical indication where it conflicts with a name of a plant variety or an animal breed and is likely to mislead the consumer as to the true origin of the product.</p> <p>3. A name proposed for registration that is wholly or partially homonymous with a name already entered in the register established under Article 11 may not be registered unless there is sufficient distinction in practice between the conditions of local and traditional usage and presentation of the homonym registered subsequently and the name already entered in the register, taking into account the need to ensure equitable treatment of the producers concerned and that consumers are not misled.</p> <p>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.</p>	<p>Article 100 : Homonyms</p> <p>1. A name for which an application is submitted and which is wholly or partially homonymous with a name already registered under this Regulation shall be registered with due regard to local and traditional usage and any risk of confusion.</p> <p>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 those products is concerned.</p> <p>A registered homonymous name may be used only if there is a sufficient distinction in practice between the homonym registered subsequently and the name already in the register, having regard to the need to treat the producers concerned in an equitable manner and the need to avoid misleading the consumer.</p> <p>2. Paragraph 1 shall apply mutatis mutandis if a name for which an application is submitted is wholly or partially homonymous with a geographical indication protected under the national law of Member States.</p> <p>3. Where the name of a wine grape variety contains or consists of a protected designation of origin or a protected geographical indication, that name shall not be used for the purposes of labelling agricultural products.</p> <p>In order to take into account existing labelling practices, the Commission shall be empowered to adopt delegated acts in accordance with Article 227 laying down exceptions from that rule.</p> <p>4. The protection of designations of origin and geographical indications of products covered by Article 93 of this Regulation shall be without prejudice to protected geographical indications applying to spirit drinks as defined in Article 2 of Regulation (EC) No 110/2008 of the European Parliament and of the Council.</p>	<p>Article 19 : Homonymous geographical indications</p> <p>A homonymous geographical indication meeting the requirements of this Regulation shall be registered with due regard for local and traditional usage and the actual risk of confusion, in particular:</p> <p>— 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 its wording is concerned for the actual territory, region or place of origin of the spirit drink in question,</p> <p>— the use of a registered homonymous geographical indication shall be subject to there being a clear distinction in practice between the homonym registered subsequently and the name already on the register, having regard to the need to treat the producers concerned in an equitable manner and not to mislead consumers.</p>
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Generic terms	<p>Article 6.1 : Generic nature, conflicts with names of plant varieties and animal breeds, with homonyms and trade marks</p> <p>1. Generic terms shall not be registered as protected designations of origin or protected geographical indications.</p> <p>Article 41 : Generic terms</p> <p>1. Without prejudice to Article 13, this Regulation shall not affect the use of terms that are generic in the Union, even if the generic term is part of a name that is protected under a quality scheme.</p> <p>2. To establish whether or not a term has become generic, account shall be taken of all relevant factors, in particular:</p> <p>(a) the existing situation in areas of consumption;</p> <p>(b) the relevant national or Union legal acts.</p> <p>(...)</p>	<p>Article 101 : Additional grounds for refusal of protection</p> <p>1. A name that has become generic shall not be protected as a designation of origin or a geographical indication.</p> <p>For the purposes of this Section, a "name that has become generic" means the name of a wine which, although it relates to the place or the region where this product was originally produced or marketed, has become the common name of a wine in the Union.</p> <p>To establish whether or not a name has become generic, the relevant factors shall be taken into account, in particular:</p> <p>(a) the existing situation in the Union, notably in areas of consumption;</p> <p>(b) the relevant Union or national law.</p> <p>2. A name shall not be protected as a designation of origin or geographical indication where, in the light of a trade mark's reputation and renown, protection could mislead the consumer as to the true identity of the wine.</p>	<p>Article 15.3 : Geographical indications</p> <p>3. (...) Names that have become generic may not be registered in Annex III.</p> <p>A name that has become generic means the name of a spirit drink which, although it relates to the place or region where this product was originally produced or placed on the market, has become the common name of a spirit drink in the Community.</p>
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Article 6.4 : (...) Conflicts (...) with trade marks

4. A name proposed for registration as a designation of origin or geographical indication shall not be registered where, in the light of a trade mark's reputation and renown and the length of time it has been used, registration of the name proposed as the designation of origin or geographical indication would be liable to mislead the consumer as to the true identity of the product.

Article 14 : Relations between trade marks, designations of origin and geographical indications

1. Where a designation of origin or a geographical indication is registered under this Regulation, the registration of a trade mark the use of which would contravene Article 13(1) and which relates to a product of the same type shall be refused if the application for registration of the trade mark is submitted after the date of submission of the registration application in respect of the designation of origin or the geographical indication to the Commission.

Trade marks registered in breach of the first subparagraph shall be invalidated. The provisions of this paragraph shall apply notwithstanding the provisions of Directive 2008/95/EC.

2. Without prejudice to Article 6(4), a trade mark the use of which contravenes Article 13(1) which has been applied for, registered, or established by use if that possibility is provided for by the legislation concerned, in good faith within the territory of the Union, before the date on which the application for protection of the designation of origin or geographical indication is submitted to the Commission, may continue to be used and renewed for that product notwithstanding the registration of a designation of origin or geographical indication, provided that no grounds for its invalidity or revocation exist under Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark (1) or under Directive 2008/95/EC. In such cases, the use of the protected designation of origin or protected geographical indication shall be permitted as well as use of the relevant trade marks.

Article 43 : Relation to intellectual property

The quality schemes described in Titles III and IV shall apply without prejudice to Union rules or to those of Member States governing intellectual property, and in particular to those concerning designations of origin and geographical indications and trade marks, and rights granted under those rules.

Article 102 : Relationship with trade marks

1. The registration of a trade mark that contains or consists of a protected designation of origin or a geographical indication which does not comply with the product specification concerned or the use of which falls under Article 103(2), and that relates to a product falling under one of the categories listed in Part II of Annex VII shall be:

(a) refused if the application for registration of the trade mark is submitted after the date of submission of the application for protection of the designation of origin or geographical indication to the Commission and the designation of origin or geographical indication is subsequently protected; or

(b) invalidated.

2. Without prejudice to Article 101(2), a trade mark referred to in paragraph 1 of this Article which has been applied for, registered or established by use in good faith, if that possibility is provided for by the law concerned, in the territory of the Union either before the date of protection of the designation of origin or geographical indication in the country of origin, or before 1 January 1996, may continue to be used and renewed notwithstanding the protection of a designation of origin or geographical indication, provided that no grounds for the trade mark's invalidity or revocation exist under Directive 2008/95/EC of the European Parliament and of the Council (1) or under Council Regulation (EC) No 207/2009 (2).

In such cases, the use of the designation of origin or geographical indication shall be permitted alongside the relevant trade marks.

Article 23 : Relation between trade marks and geographical indications

1. The registration of a trade mark which contains or consists of a geographical indication registered in Annex III shall be refused or invalidated if its use would lead to any of the situations referred to in Article 16.

2. With due regard to Community law, a trade mark the use of which corresponds to one of the situations referred to in Article 16 which has been applied for, registered, or established by use, if that possibility is provided for by the legislation concerned, in good faith within the territory of the Community, before either the date of protection of the geographical indication in the country of origin or before 1 January 1996, may continue to be used notwithstanding the registration of a geographical indication, provided that no grounds for its invalidity or revocation exist as specified by First Council Directive 89/104/EEC of 21 December 1988 to approximate the laws of the Member States relating to trade marks (2) or Council Regulation (EC) No 40/94 of 20 December 1993 on the Community trade mark (3).

3. A geographical indication shall not be registered where, in the light of a trade mark's reputation and renown and the length of time it has been used in the Community, registration is liable to mislead the consumer as to the true identity of the product.

Protection	<p>Article 13 : Protection</p> <p>1. Registered names shall be protected against:</p> <p>(a) any direct or indirect commercial use of a registered name in respect of products not covered by the registration where those products are comparable to the products registered under that name or where using the name exploits the reputation of the protected name, including when those products are used as an ingredient;</p> <p>(b) any misuse, imitation or evocation, even if the true origin of the products or services is indicated or if the protected name is translated or accompanied by an expression such as ‘style’, ‘type’, ‘method’, ‘as produced in’, ‘imitation’ or similar, including when those products are used as an ingredient;</p> <p>(c) any other false or misleading indication as to the provenance, origin, nature or essential qualities of the product that is used on the inner or outer packaging, advertising material or documents relating to the product concerned, and the packing of the product in a container liable to convey a false impression as to its origin;</p> <p>(d) any other practice liable to mislead the consumer as to the true origin of the product.</p> <p>Where a protected designation of origin or a protected geographical indication contains within it the name of a product which is considered to be generic, the use of that generic name shall not be considered to be contrary to points (a) or (b) of the first subparagraph.</p> <p>2. Protected designations of origin and protected geographical indications shall not become generic. (...)</p>	<p>Article 103 : Protection</p> <p>(...) 2. A protected designation of origin and a protected geographical indication, as well as the wine using that protected name in conformity with the product specifications, shall be protected against:</p> <p>(a) any direct or indirect commercial use of that protected name:</p> <p style="padding-left: 40px;">(i) by comparable products not complying with the product specification of the protected name; or</p> <p style="padding-left: 40px;">(ii) in so far as such use exploits the reputation of a designation of origin or a geographical indication;</p> <p>(b) any misuse, imitation or evocation, even if the true origin of the product or service is indicated or if the protected name is translated, transcribed or transliterated or accompanied by an expression such as "style", "type", "method", "as produced in", "imitation", "flavour", "like" or similar;</p> <p>(c) any other false or misleading indication as to the provenance, origin, nature or essential qualities of the product, on the inner or outer packaging, advertising material or documents relating to the wine product concerned, as well as the packing of the product in a container liable to convey a false impression as to its origin;</p> <p>(d) any other practice liable to mislead the consumer as to the true origin of the product.</p> <p>3. Protected designations of origin and protected geographical indications shall not become generic in the Union within the meaning of Article 101(1).</p>	<p>Article 16 : Protection of GIs</p> <p>Without prejudice to Article 10, the geographical indications registered in Annex III shall be protected against:</p> <p>(a) any direct or indirect commercial use in respect of products not covered by the registration in so far as those products are comparable to the spirit drink registered under that geographical indication or insofar as such use exploits the reputation of the registered geographical indication;</p> <p>(b) any misuse, imitation or evocation, even if the true origin of the product is indicated or the geographical indication is used in translation or accompanied by an expression such as ‘like’, ‘type’, ‘style’, ‘made’, ‘flavour’ or any other similar term;</p> <p>(c) any other false or misleading indication as to the provenance, origin, nature or essential qualities on the description, presentation or labelling of the product, liable to convey a false impression as to its origin;</p> <p>(d) any other practice liable to mislead the consumer as to the true origin of the product.</p> <p>Article 15.3. : Geographical indications</p> <p>3. The geographical indications registered in Annex III may not become generic. (...)</p>
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Register	<p>Article 11 : Register of PDOs and PGIs</p> <p>1. The Commission shall adopt implementing acts, without applying the procedure referred to in Article 57(2), establishing and maintaining a publicly accessible updated register of protected designations of origin and protected geographical indications recognised under this scheme.</p> <p>2. Geographical indications pertaining to products of third countries that are protected in the Union under an international agreement to which the Union is a contracting party may be entered in the register. Unless specifically identified in the said agreement as protected designations of origin under this Regulation, such names shall be entered in the register as protected geographical indications.</p> <p>3. The Commission may adopt implementing acts laying down detailed rules on the form and content of the register. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).</p> <p>4. The Commission shall make public and regularly update the list of the international agreements referred to in paragraph 2 as well as the list of geographical indications protected under those agreements.</p>	<p>Article 104 : Register</p> <p>The Commission shall establish and maintain an electronic register of protected designations of origin and protected geographical indications for wine which shall be publicly accessible. Designations of origin and geographical indications pertaining to products of third countries that are protected in the Union pursuant to an international agreement to which the Union is a contracting party may be entered in the register. Unless specifically identified in that agreement as protected designations of origin within the meaning of this Regulation, such names shall be entered in the register as protected geographical indications.</p>	<p>Article 15.2 : Geographical indications</p> <p>The geographical indications referred to in paragraph 1 are registered in Annex III.</p>
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Amendments to product specifications	<p>Article 53 : Amendment to a product specification</p> <p>1. A group having a legitimate interest may apply for approval of an amendment to a product specification.</p> <p>Applications shall describe and give reasons for the amendments requested.</p> <p>2. Where the amendment involves one or more amendments to the specification that are not minor, the amendment application shall follow the procedure laid down in Articles 49 to 52.</p> <p>However, if the proposed amendments are minor, the Commission shall approve or reject the application. In the event of the approval of amendments implying a modification of the elements referred to in Article 50(2), the Commission shall publish those elements in the Official Journal of the European Union.</p> <p>For an amendment to be regarded as minor in the case of the quality scheme described in Title II, it shall not:</p> <ul style="list-style-type: none"> (a) relate to the essential characteristics of the product; (b) alter the link referred to in point (f)(i) or (ii) of Article 7(1); (c) include a change to the name, or to any part of the name of the product; (d) affect the defined geographical area; or (e) represent an increase in restrictions on trade in the product or its raw materials. <p>For an amendment to be regarded as minor in the case of the quality scheme described in Title III, it shall not:</p> <ul style="list-style-type: none"> (a) relate to the essential characteristics of the product; (b) introduce essential changes to the production method; or (c) include a change to the name, or to any part of the name of the product. <p>The scrutiny of the application shall focus on the proposed amendment. (...)</p>	<p>Article 105 : Amendments to product specifications</p> <p>An applicant satisfying the conditions laid down in Article 95 may apply for approval of an amendment to the product specification of a protected designation of origin or of a protected geographical indication, in particular to take account of developments in scientific and technical knowledge or to re-demarcate the geographical area referred to in point (d) of the second subparagraph of Article 94(2). Applications shall describe and state reasons for the amendments requested.</p>	<p>Article 21 : Alteration of the technical file</p> <p>The procedure provided for in Article 17 shall apply <i>mutatis mutandis</i> where the technical file referred to in Articles 17(1) and 20(1) is to be altered.</p> <hr/> <p>R 713/2013</p> <p>Article 21 : Amendment of a technical file</p> <p>1. An application for the amendment of the technical file related to a registered geographical indication, as referred to in Article 21 of Regulation (EC) No 110/2008, shall be drawn up in accordance with Annex V to this Regulation and submitted in electronic format.</p> <p>2. For the purposes of the application referred to in paragraph 1, Articles 8 to 15 of this Regulation shall apply <i>mutatis mutandis</i>. These procedures shall only concern the points of the technical file which are the subject of the amendment.</p> <p>3. Where the application for the amendment of the technical file is submitted by an applicant other than the initial applicant, the Commission shall communicate the application to the initial applicant.</p>
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Cancellation	<p>Article 54 : Cancellation</p> <p>1. The Commission may, on its own initiative or at the request of any natural or legal person having a legitimate interest, adopt implementing acts to cancel the registration of a protected designation of origin or of a protected geographical indication or of a traditional speciality guaranteed in the following cases:</p> <p>(a) where compliance with the conditions of the specification is not ensured;</p> <p>(b) where no product is placed on the market under the traditional speciality guaranteed, the protected designation of origin or the protected geographical indication for at least seven years.</p> <p>The Commission may, at the request of the producers of product marketed under the registered name, cancel the corresponding registration.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2). (...)</p>	<p>Article 106 : Cancellation</p> <p>The Commission may, on its own initiative or on a duly substantiated request by a Member State, a third country or a natural or legal person having a legitimate interest, adopt implementing acts cancelling the protection of a designation of origin or a geographical indication if compliance with the corresponding product specification is no longer ensured.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 229(2).</p>	<p>Article 18 : Cancellation of a geographical indication</p> <p>If compliance with the specifications in the technical file is no longer ensured, the Commission shall take a decision cancelling the registration in accordance with the regulatory procedure with scrutiny referred to in Article 25(3). That decision shall be published in the <i>Official Journal of the European Union</i>, C Series.</p> <hr/> <p>R 713/2013</p> <p>Article 19 : Admissibility of a request for cancellation</p> <p>1. A request for cancellation is admissible, if it clearly states the legitimate interest of the author of the request for cancellation and explains the ground(s) for such cancellation.</p> <p>2. Any request for cancellation shall contain details of the facts, evidence and comments submitted in support of cancellation. It shall be accompanied by the relevant supporting documents and in particular, by a statement from the Member State or the third-country authority where the residence or registered office of the author of the request is located. (...)</p> <p>Article 20 : Scrutiny of a cancellation</p> <p>1. If the Commission has not rejected the request for cancellation in accordance with Article 19(3), it shall communicate the request to the Member State or the third-country authority or private entity from the third country, whose geographical indication is affected by the request for cancellation, and invite them to file observations within a deadline of two months. Any observation received within this time limit shall be communicated to the author of the request for cancellation.</p> <p>3. Any decision to cancel the geographical indication concerned shall be taken by the Commission on the basis of the evidence available to it after the expiration of the deadline for submission of observations. It shall consider whether compliance with the technical file of the geographical indication is no longer possible or can no longer be guaranteed, particularly if the conditions laid down in Article 17 of Regulation (EC) No 110/2008 are no longer fulfilled or may no longer be fulfilled in the near future.</p> <p>Such decision on cancellation shall be notified to the Member State, the third-country authority or the private entity from the third country in question or the author of the request for cancellation. (...)</p>
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Existing protected names		<p>Article 107 : Existing protected wine names</p> <p>1. Wine names referred to in Articles 51 and 54 of Council Regulation (EC) No 1493/1999 (3) and Article 28 of Commission Regulation (EC) No 753/2002 (4) shall be automatically protected under this Regulation. The Commission shall list them in the register provided for in Article 104 of this Regulation.</p> <p>2. The Commission shall take the corresponding formal step of removing wine names to which Article 118s(3) of Regulation (EC) No 1234/2007 applies from the register provided for in Article 104 of this Regulation by means of implementing acts adopted without applying the procedure referred to in Article 229(2) or (3) of this Regulation.</p> <p>3. Article 106 shall not apply to existing protected wine names referred to in paragraph 1 of this Article.</p> <p>Until 31 December 2014, the Commission may, on its own initiative, adopt implementing acts cancelling the protection of existing protected wine names referred to in paragraph 1 of this Article if they do not meet the conditions laid down in Article 93.</p> <p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 229(2).</p> <p>4. For Croatia, the wine names published in the Official Journal of the European Union (1) shall be protected under this Regulation, subject to a favourable outcome of the objection procedure. The Commission shall list them in the register provided for in Article 104.</p>	<p>Article 20 : Established geographical indications</p> <p>1. For each geographical indication registered in Annex III on 20 February 2008, Member States shall submit a technical file as provided for under Article 17(1) to the Commission not later than 20 February 2015.</p> <p>2. Member States shall ensure that this technical file is accessible to the public.</p> <p>3. Where no technical file has been submitted to the Commission by 20 February 2015, the Commission shall remove the geographical indication from Annex III in accordance with the regulatory procedure with scrutiny referred to in Article 25(3).</p> <p>4. The deadline referred to in paragraph 1 for submission of technical files shall also apply to the geographical indications of Croatia listed in Annex III.</p>
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Fees, costs, and financing	<p>Article 47 : Fees</p> <p>Without prejudice to Regulation (EC) No 882/2004 and in particular the provisions of Chapter VI of Title II thereof, Member States may charge a fee to cover their costs of managing the quality schemes, including those incurred in processing applications, statements of opposition, applications for amendments and requests for cancellations provided for in this Regulation.</p> <p>Article 44.2 : Protection of indications and symbols</p> <p>2. In accordance with Article 5 of Regulation (EC) No 1290/2005, the European Agricultural Fund for Rural Development (EAFRD) may, on the initiative of the Commission or on its behalf, finance, on a centralised basis, administrative support concerning the development, preparatory work, monitoring, administrative and legal support, legal defence, registration fees, renewal fees, trade mark watching fees, litigation fees and any other related measure required to protect the use of the indications, abbreviations and symbols referring to the quality schemes from misuse, imitation, evocation or any other practice liable to mislead the consumer, within the Union and in third countries.</p>	<p>Article 108 : Fees</p> <p>Member States may charge fees to cover their costs, including those incurred in examining the applications for protection, statements of objections, applications for amendments and requests for cancellations under this Subsection.</p>	<p>Article 22.1 : Verification of compliance with the specifications in the technical file</p> <p>1. (...) Notwithstanding national legislation, the costs of such verification of compliance with the specifications in the technical file shall be borne by the operators subject to those controls. (...)</p>
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Article 12 : Names, symbols and indications

(...) 3. 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. The indications ‘protected designation of origin’ or ‘protected geographical indication’ or the corresponding abbreviations ‘PDO’ or ‘PGI’ may appear on the labelling.

4. In addition, the following may also appear on the labelling: depictions of the geographical area of origin, as referred to in Article 5, and text, graphics or symbols referring to the Member State and/or region in which that geographical area of origin is located.

Article 44 : Protection of indications and symbols

1. Indications, abbreviations and symbols referring to the quality schemes may only be used in connection with products produced in conformity with the rules of the quality scheme to which they apply. (...)

Article 59 : Entry into force

(...) However, Article 12(3) and Article 23(3) shall apply from 4 January 2016, without prejudice to products already placed on the market before that date. (...)

Article 119 : Compulsory particulars

1. Labelling and presentation of the products referred to in points 1 to 11, 13, 15 and 16 of Part II of Annex VII marketed in the Union or for export shall contain the following compulsory particulars:

(a) the designation for the category of the grapevine product in accordance with Part II of Annex VII;

(b) for wines with a protected designation of origin or a protected geographical indication:

(i) the term "protected designation of origin" or "protected geographical indication"; and

(ii) the name of the protected designation of origin or the protected geographical indication;

(...) 3. By way of derogation from point (b) of paragraph 1, the reference to the terms "protected designation of origin" or "protected geographical indication" may be omitted in the following cases:

(a) where a traditional term in accordance with point (a) of Article 112 is displayed on the label in accordance with the product specification referred to in Article 94(2);

(b) in exceptional and duly justified circumstances to be determined by the Commission by means of delegated acts adopted in accordance with Article 227 in order to ensure compliance with existing labelling practices.

Article 120 : Optional particulars

1. Labelling and presentation of the products referred to in points 1 to 11, 13, 15 and 16 of Part II of Annex VII may, in particular, contain the following optional particulars: (...)

(d) for wines with a protected designation of origin or a protected geographical indication, traditional terms in accordance with point (b) of Article 112;

(e) the Union symbol indicating the protected designation of origin or the protected geographical indication; (...)

(g) for wines bearing a protected designation of origin or a protected geographical indication, the name of another geographical unit that is smaller or larger than the area underlying the designation of origin or geographical indication

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Article 22 : Use of a Union symbol for registered geographical indications

1. The Union symbol for registered geographical indications established in Annex V to Commission Regulation (EC) No 1898/2006 (1) may be used for spirit drinks. That symbol may not be used together with a compound term including a geographical indication. The indication ‘PROTECTED GEOGRAPHICAL INDICATION’ may be replaced by the equivalent terms in another official language of the Union as laid down in that Annex.

2. Where the Union symbol referred to in paragraph 1 appears on the label of a spirit drink, it shall be accompanied by the corresponding geographical indication.

Article 13.3 : Protection

3. 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, as referred to in paragraph 1, that are produced or marketed in that Member State.

To that end Member States 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.

Article 36 : Designation of competent authority

1. In accordance with Regulation (EC) No 882/2004, Member States shall designate the competent authority or authorities responsible for official controls carried out to verify compliance with the legal requirements related to the quality schemes established by this Regulation.

Procedures and requirements of Regulation (EC) No 882/2004 shall apply mutatis mutandis to the official controls carried out to verify compliance with the legal requirement related to the quality schemes for all products covered by Annex I to this Regulation.

2. The competent authorities referred to in paragraph 1 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.

3. Official controls shall cover:

(a) verification that a product complies with the corresponding product specification; and

(b) monitoring of the use of registered names to describe product placed on the market, in conformity with Article 13 for names registered under Title II and in conformity with Article 24 for names registered under Title III.

Article 24 : Control and protection of spirit drinks

1. Member States shall be responsible for the control of spirit drinks. They shall take the measures necessary to ensure compliance with the provisions of this Regulation and in particular they shall designate the competent authority or authorities responsible for controls in respect of the obligations established by this Regulation in accordance with Regulation (EC) No 882/2004.

2. Member States and the Commission shall communicate to each other the information necessary for the application of this Regulation. (...)

Article 37 : Verification of compliance with product specification

1. In respect of protected designations of origin, protected geographical indications and traditional specialties guaranteed that designate products originating within the Union, verification of compliance with the product specification, before placing the product on the market, shall be carried out by:

(a) one or more of the competent authorities as referred to in Article 36 of this Regulation; and/or

(b) one or more of the control bodies within the meaning of point (5) of Article 2 of Regulation (EC) No 882/2004 operating as a product certification body.

Article 38 : Surveillance of the use of the name in the market place

Member States shall inform the Commission of the names and addresses of the competent authorities referred to in Article 36. The Commission shall make public the names and addresses of those authorities.

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.

Article 39 : Delegation by competent authorities to control bodies

1. Competent authorities may delegate, in accordance with Article 5 of Regulation (EC) No 882/2004, specific tasks related to official controls of the quality schemes to one or more control bodies.

2. Such control bodies shall be accredited in accordance with European Standard EN 45011 or ISO/IEC Guide 65 (General requirements for bodies operating product certification systems).

3. Accreditation referred to in paragraph 2 of this Article may only be performed by:

(a) a national accreditation body in the Union in accordance with the provisions of Regulation (EC) No 765/2008; or

(b) an accreditation body outside the Union that is a signatory of a multilateral recognition arrangement under the auspices of the International Accreditation Forum.

Article 22 : Verification of compliance with the specifications in the technical file

1. In respect of the geographical indications within the Community, verification of compliance with the specifications in the technical file, before placing the product on the market, shall be ensured by:

— one or more competent authorities referred to in Article 24(1), and/or

— one or more control bodies within the meaning of Article 2 of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (1), operating as a product certification body. (...)

2. In respect of the geographical indications within a third country, verification of compliance with the specifications in the technical file, before placing the product on the market, shall be ensured by:

— one or more public authorities designated by the third country, and/or

— one or more product certification bodies.

3. The product certification bodies referred to in paragraphs 1 and 2 shall comply with, and from 1 May 2010 be accredited in accordance with, European standard EN 45011 or ISO/IEC Guide 65 (General requirements for bodies operating product certification systems).

4. Where the authorities or bodies referred to in paragraphs 1 and 2 have chosen to verify compliance with the specifications in the technical file, they shall offer adequate guarantees of objectivity and impartiality and have at their disposal the qualified staff and resources necessary to carry out their functions.

Planning of controls	<p>Article 40 : Planning, reporting of control activities</p> <p>1. Member States shall ensure that activities for the control of obligations under this Chapter are specifically included in a separate section within the multi-annual national control plans in accordance with Articles 41, 42 and 43 of Regulation (EC) No 882/2004.</p> <p>2. The annual reports concerning the control of the obligations established by this Regulation shall include a separate section comprising the information laid down in Article 44 of Regulation (EC) No 882/2004.</p>		
Right to use the schemes	<p>Article 12 : Names, symbols and indications</p> <p>1. Protected designations of origin and protected geographical indications may be used by any operator marketing a product conforming to the corresponding specification.</p> <p>Article 46 : Right to use the schemes</p> <p>1. Member States shall ensure that any operator complying with the rules of a quality scheme set out in Titles II and III is entitled to be covered by the verification of compliance established pursuant to Article 37.</p> <p>2. Operators who prepare and store a product marketed under the traditional speciality guaranteed, protected designation of origin or protected geographical indication schemes or who place such products on the market shall also be subject to the controls laid down in Chapter I of this Title.</p> <p>3. Member States shall ensure that operators willing to adhere to the rules of a quality scheme set out in Titles III and IV are able to do so and do not face obstacles to participation that are discriminatory or otherwise not objectively founded.</p>	<p>Article 103 : Protection</p> <p>1. A protected designation of origin and a protected geographical indication may be used by any operator marketing a wine which has been produced in conformity with the corresponding product specification.</p>	

Article 16 : Transitional provisions

1. Names entered in the register provided for in Article 7(6) of Regulation (EC) No 510/2006 shall automatically be entered in the register referred to in Article 11 of this Regulation. The corresponding specifications shall be deemed to be the specifications referred to in Article 7 of this Regulation. Any specific transitional provisions associated with such registrations shall continue to apply.
2. In order to protect the rights and legitimate interests of producers or stakeholders concerned, the Commission shall be empowered to adopt delegated acts, in accordance with Article 56, concerning additional transitional rules.
3. This Regulation shall apply without prejudice to any right of coexistence recognised under Regulation (EC) No 510/2006 in respect of designations of origin and geographical indications, on the one hand, and trade marks, on the other.

Article 109 : Delegated powers

5. In order to ensure that economic operators and competent authorities are not unduly affected by the application of this Subsection as regards wine names which have been granted protection prior to 1 August 2009, or for which an application for protection has been made prior to that date, the Commission shall be empowered to adopt delegated acts in accordance with Article 227 laying down transitional rules concerning:
 - (a) wine names recognised by Member States as designations of origin or geographical indications by 1 August 2009, and wine names for which an application for protection has been made prior to that date;
 - (b) wines placed on the market or labelled before a specific date; and
 - (c) amendments to the product specifications.

Article 122 : Delegated powers

3. In order to ensure that economic operators are not prejudiced, the Commission shall be empowered to adopt delegated acts in accordance with Article 227 concerning transitional provisions as regards wine placed on the market and labelled in accordance with the relevant rules applying before 1 August 2009.

Article 231 : Transitional rules

1. In order to ensure the smooth transition from the arrangements provided for in Regulation (EC) No 1234/2007 to those laid down in this Regulation, the Commission shall be empowered to adopt delegated acts in accordance with Article 227 concerning measures necessary to protect the acquired rights and legitimate expectations of undertakings.

Article 28 : Transitional and other specific measures

1. In accordance with the regulatory procedure with scrutiny referred to in Article 25(3), measures to amend this Regulation shall be adopted, where appropriate:
 - (a) to facilitate by 20 February 2011 the transition from the rules provided for in Regulation (EEC) No 1576/89 to those established by this Regulation;
 - (b) to derogate from Articles 17 and 22 in duly justified cases;
 - (c) to establish a Community symbol for geographical indications for the spirit drinks sector.
2. In accordance with the regulatory procedure referred to in Article 25(2), measures shall be adopted, where appropriate, to resolve specific practical problems, such as by making it obligatory, in certain cases, to state the place of manufacture on the labelling to avoid misleading the consumer and to maintain and develop Community reference methods for the analysis of spirit drinks.
3. Spirit drinks not meeting the requirements of this Regulation may continue to be produced in accordance with Regulation (EEC) No 1576/89 until 20 May 2009. Spirit drinks not meeting the requirements of this Regulation but which have been produced in accordance with Regulation (EEC) No 1576/89 prior to 20 February 2008 or until 20 May 2009 may continue to be placed on the market until stocks run out.

Article 9 : Transitional national protection

A Member State may, on a transitional basis only, grant protection to a name under this Regulation at national level, with effect from the date on which an application is lodged with the Commission.

Such national protection shall cease on the date on which either a decision on registration under this Regulation is taken or the application is withdrawn.

Where a name is not registered under this Regulation, the consequences of such national protection shall be the sole responsibility of the Member State concerned.

The measures taken by Member States under the first paragraph shall produce effects at national level only, and they shall have no effect on intra-Union or international trade.

Article 15.4 : Transitional periods for use of PDOs and PGIs

4. To overcome temporary difficulties with the long-term objective of ensuring that all producers in the area concerned comply with the specification, a Member State may grant a transitional period of up to 10 years, with effect from the date on which the application is lodged with the Commission, on condition that the operators concerned have legally marketed the products in question, using the names concerned continuously for at least the five years prior to the lodging of the application to the authorities of the Member State and have made that point in the national opposition procedure referred to in Article 49(3).

Article 15 : Transitional periods for use of PDOs and PGIs

1. Without prejudice to Article 14, the Commission may adopt implementing acts granting a transitional period of up to five years to enable products originating in a Member State or a third country the designation of which consists of or contains a name that contravenes Article 13(1) to continue to use the designation under which it was marketed on condition that an admissible statement of opposition under Article 49(3) or Article 51 shows that:

- (a) the registration of the name would jeopardise the existence of an entirely or partly identical name; or
- (b) such products have been legally marketed with that name in the territory concerned for at least five years preceding the date of the publication provided for point (a) of Article 50(2).

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).

2. Without prejudice to Article 14, the Commission may adopt implementing acts extending the transitional period mentioned in paragraph 1 of this Article to 15 years in duly justified cases where it is shown that:

- (a) the designation referred to in paragraph 1 of this Article has been in legal use consistently and fairly for at least 25 years before the application for registration was submitted to the Commission;
- (b) the purpose of using the designation referred to in paragraph 1 of this Article has not, at any time, been to profit from the reputation of the registered name and it is shown that the consumer has not been nor could have been misled as to the true origin of the product. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).

3. When using a designation referred to in paragraphs 1 and 2, the indication of country of origin shall clearly and visibly appear on the labelling. (...)

The first subparagraph shall apply mutatis mutandis to a protected geographical indication or protected designation of origin referring to a geographical area situated in a third country, with the exception of the opposition procedure.

Such transitional periods shall be indicated in the application dossier referred to in Article 8(2).

Role of groups	<p>Article 45 : Role of groups</p> <p>1. Without prejudice to specific provisions on producer organisations and inter-branch organisations as laid down in Regulation (EC) No 1234/2007, a group is entitled to:</p> <p>(a) contribute to ensuring that the quality, reputation and authenticity of their products are guaranteed on the market by monitoring the use of the name in trade and, if necessary, by informing competent authorities as referred to in Article 36, or any other competent authority within the framework of Article 13(3);</p> <p>(b) 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;</p> <p>(c) develop information and promotion activities aiming at communicating the value-adding attributes of the product to consumers;</p> <p>(d) develop activities related to ensuring compliance of a product with its specification;</p> <p>(e) take action to improve the performance of the scheme, including developing economic expertise, carrying out economic analyses, disseminating economic information on the scheme and providing advice to producers</p> <p>(f) 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.</p> <p>2. Member States may encourage the formation and functioning of groups on their territories by administrative means. Moreover, Member States shall communicate to the Commission the name and address of the groups referred to in point 2 of Article 3. The Commission shall make this information public.</p>		
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Article 56 : Exercise of the delegation

1. The power to adopt the delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in the second subparagraph of Article 2(1), Article 5(4), the first subparagraph of Article 7(2), the first subparagraph of Article 12(5), Article 16(2), Article 18(5), the first subparagraph of Article 19(2), the first subparagraph of Article 23(4), Article 25(3), Article 29(4), Article 30, Article 31(3) and (4), Article 41(3), Article 42(2), the first subparagraph of Article 49(7), the first subparagraph of Article 51(6), the first subparagraph of Article 53(3) and the first subparagraph of Article 54(2) shall be conferred on the Commission for a period of five years from 3 January 2013. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be 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.

3. The delegation of power referred to in the second subparagraph of Article 2(1), Article 5(4), the first subparagraph of Article 7(2), the first subparagraph of Article 12(5), Article 16(2), Article 18(5), the first subparagraph of Article 19(2), the first subparagraph of Article 23(4), Article 25(3), Article 29(4), Article 30, Article 31(3) and (4), Article 41(3), Article 42(2), the first subparagraph of Article 49(7), the first subparagraph of Article 51(6), the first subparagraph of Article 53(3) and the first subparagraph of Article 54(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

Article 109 : Delegated powers

1. In order to take into account the specific characteristics of the production in the demarcated geographical area, the Commission shall be empowered to adopt delegated acts in accordance with Article 227 laying down:

(a) the additional criteria for the demarcation of the geographical area; and

(b) the restrictions and derogations concerning the production in the demarcated geographical area.

2. In order to ensure product quality and traceability, the Commission shall be empowered to adopt delegated acts in accordance with Article 227 laying down the conditions under which product specifications may include additional requirements.

3. In order to ensure the protection of the legitimate rights and interests of producers and operators, the Commission shall be empowered to adopt delegated acts in accordance with Article 227 on:

(a) the type of applicant that may apply for the protection of a designation of origin or geographical indication;

(b) the conditions to be followed in respect of an application for the protection of a designation of origin or geographical indication, scrutiny by the Commission, the objection procedure, and procedures for amendment, cancellation and conversion of protected designations of origin or protected geographical indications;

(c) the conditions applicable to trans-border applications;

(d) the conditions for applications concerning geographical areas in a third country;

(e) the date from which a protection or an amendment to a protection shall apply;

(f) the conditions related to amendments to product specifications.

4. In order to ensure an adequate level of protection, the Commission shall be empowered to adopt delegated acts in accordance with Article 227 on restrictions regarding the protected name.

Delegated powers (continued)	<p>5. A delegated act adopted pursuant to the second subparagraph of Article 2(1), Article 5(4), the first subparagraph of Article 7(2), the first subparagraph of Article 12(5), Article 16(2), Article 18(5), the first subparagraph of Article 19(2), the first subparagraph of Article 23(4), Article 25(3), Article 29(4), Article 30, Article 31(3) and (4), Article 41(3), Article 42(2), the first subparagraph of Article 49(7), the first subparagraph of Article 51(6), the first subparagraph of Article 53(3) and the first subparagraph of Article 54(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.</p>	<p>2. In order to ensure the protection of the legitimate interests of operators, the Commission shall be empowered to adopt delegated acts in accordance with Article 227 concerning rules as regards temporary labelling and presentation of wines bearing a designation of origin or a geographical indication, where that designation of origin or geographical indication fulfils the necessary requirements.</p> <p>3. In order to ensure that economic operators are not prejudiced, the Commission shall be empowered to adopt delegated acts in accordance with Article 227 concerning transitional provisions as regards wine placed on the market and labelled in accordance with the relevant rules applying before 1 August 2009.</p> <p>4. In order to take account of the specific characteristics in trade between the Union and certain third countries, the Commission shall be empowered to adopt delegated acts in accordance with Article 227 concerning derogations from this Section as regards products to be exported where required by the law of the third country concerned.</p>	
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Article 7 : Product specification

The Commission may adopt implementing acts laying down rules on the form of the specification. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 57(2).

(à voir...)

Article 110 : Implementing powers in accordance with the examination procedure

1. The Commission may adopt implementing acts laying down necessary measures concerning:

- (a) the information to be provided in the product specification with regard to the link between the geographical area and the final product;
- (b) the making of decisions on protection or rejection available to the public;
- (c) the establishment and the maintenance of the register referred to in Article 104;
- (d) the conversion from protected designation of origin to protected geographical indication;
- (e) the submission of trans-border applications.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 229(2).

2. The Commission may adopt implementing acts laying down necessary measures concerning the procedure for the examination of applications for protection or for the approval of an amendment of a designation of origin or a geographical indication, as well as the procedure for requests for objection, cancellation, or conversion, and the submission of information related to existing protected wine names, in particular with respect to:

- (a) models for documents and the transmission format;
- (b) time limits;
- (c) the details of the facts, evidence and supporting documents to be submitted in support of an application or a request.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 229(2).

Article 111 : Other implementing powers

Where an objection is deemed inadmissible, the Commission shall adopt an implementing act rejecting it as inadmissible. That implementing act shall be adopted without applying the procedure referred to in Article 229(2) or (3).

Article 27 : Implementing measures

The measures necessary for the implementation of this Regulation shall be adopted in accordance with the regulatory procedure referred to in Article 25(2).

Committee procedure	<p>Article 57 : Committee procedure</p> <p>1. The Commission shall be assisted by the Agricultural Product Quality Policy Committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.</p> <p>2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.</p> <p>Where the committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.</p>	<p>Article 229 : Committee procedure</p> <p>1. The Commission shall be assisted by a committee called the Committee for the Common Organisation of the Agricultural Markets. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.</p> <p>2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.</p> <p>In the case of acts referred to in Article 80(5), points (c) and (d) of Article 91, Article 97(4), Article 99, Article 106 and Article 107(3), where the committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.</p> <p>3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.</p>	<p>Article 25 : Committee</p> <p>1. The Commission shall be assisted by the Committee for Spirit Drinks.</p> <p>2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.</p> <p>The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.</p> <p>3. Where reference is made to this paragraph, Articles 5a and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.</p>
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