

Brussels, XXX  
[...] (2024) XXX draft

**COMMISSION DELEGATED REGULATION (EU) .../...**

**of XXX**

**supplementing Regulation (EU) 2024/XXXX of the European Parliament and of the Council with rules concerning the registration and the protection of geographical indications, traditional specialities guaranteed and optional quality terms and repealing Commission Delegated Regulation (EU) No 664/2014, supplementing Regulation (EU) No 1151/2012 as regards quality schemes for agricultural products and foodstuff.**

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## **EXPLANATORY MEMORANDUM**

### **1. CONTEXT OF THE DELEGATED ACT**

[Briefly]

### **2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT**

[Essential part]

### **3. LEGAL ELEMENTS OF THE DELEGATED ACT**

[Briefly]

# COMMISSION DELEGATED REGULATION (EU) .../...

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**supplementing Regulation (EU) 2024/XXXX of the European Parliament and of the Council with rules concerning the registration and the protection of geographical indications, traditional specialities guaranteed and optional quality terms and repealing Commission Delegated Regulation (EU) No 664/2014, supplementing Regulation (EU) No 1151/2012 as regards quality schemes for agricultural products and foodstuff.**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to [...]<sup>1</sup>, and in particular Article [...] thereof,

Whereas:

(1) [Initial capital...].

(2) [Initial capital...],

HAS ADOPTED THIS REGULATION:

## *Article 1*

### **Subject matter**

This Regulation lays down rules supplementing Regulation (EU) 2024/XXXX as regards:

- a) procedures for communication of standard amendments and requirements for sourcing of raw materials for geographical indications of agricultural products;
- b) procedures for application for registration and for approval of amendments for traditional specialities guaranteed.

## **CHAPTER 1**

### **Geographical Indications**

## *Article 2*

### **Union amendment**

An application for approval of a Union amendment of the product specification of a geographical indication for which a single document or equivalent has never been published in the Official Journal of the European Union shall include a single document. The single document shall comply with Article 50(1) of the Regulation (EU) 2024/XXXX, Article 95 of Regulation (EU) No 1308/2013 or Article 23 of Regulation (EU) 2019/787 depending on whether the geographical indication is an agricultural, a wine or a spirit drinks product, respectively.

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<sup>1</sup> OJ L [...], [...], p. [...].

### *Article 3*

#### **Standard amendments linked to Union amendments**

A standard amendment included in an application for Union amendment which is inextricably linked to the said Union amendment shall exceptionally be considered as part of that Union amendment and shall be adopted by the Commission together with the Union amendment.

### *Article 4*

#### **Standard amendments to the product specification of a geographical indication (24(10))**

1. For the purposes of Article 24 of Regulation (EU) No 2024/XXXX, applications for approval of standard amendment to a product specification shall be submitted to the authorities of the Member State in whose territory the geographical area of the product concerned is located.
2. The Member States may provide that the application for standard amendment is published for opposition at national level. If national opposition is not provided for, and if the application for approval of a standard amendment to a product specification does not come from the applicant producer group that had submitted the application for protection of the name or names to which the product specification refers, the Member State shall give that applicant producer group the opportunity to comment on the application, if that applicant producer group still exists.
3. The application for approval of a standard amendment shall provide a description of the standard amendments, provide a summary of the reasons for which the amendments are required and demonstrate that the proposed amendments qualify as standard in accordance with Article 24(4) of Regulation (EU) No 2024/XXXX.
4. Where the Member State considers that the requirements of Regulation (EU) No 2024/XXXX and of the provisions adopted pursuant to that Regulation are met, it shall approve the standard amendment. The approval decision shall include the amended consolidated product specification and, where relevant, amended consolidated single document, or, in case the Member State provides for publication for opposition at a national level, it shall include an electronic reference to the published amended consolidated product specification and, where relevant, single document.
5. When a standard amendment to the product specification of a geographical indication for which a single document has never been published concerns one of the elements of the single document, as referred to in Articles 50(1) of Regulation (EU) 2024/XXXX, 95 of Regulation (EU) No 1308/2013 and 23 of Regulation (EU) 2019/787 for agricultural products, wine and spirit drinks respectively, the single document has to be included in the national decision and communicated to the Commission in accordance with Article XX of Regulation (Implementing Regulation). If the Member State provides for publication for opposition at a national level, the single document shall be published for opposition.
6. The approval decision shall be made public. The approved standard amendment shall be applicable in the Member State concerned from the date on which the approval decision was made public. The Member State shall communicate approved standard

amendments to the Commission not later than 1 month following the date on which the national approval decision was made public.

7. A decision approving standard amendments concerning products originating in third countries shall be communicated to the Commission by an applicant producer group, either directly or via the authorities of the third country concerned, not later than 1 month following the date on which the relevant decision was made public.
8. The communication of an approved standard amendment to the Commission shall be considered duly made if it contains all the elements listed in Article 12 of Implementing Regulation (EU) No XXX/20XX.
9. In the event that an approval of standard amendment implies an amendment of the single document, the Commission shall publish the communication of the standard amendment and the amended single document in the Official Journal of the European Union, C series, within 3 months from the date on which it has received the communication of that standard amendment.
10. In the event that an approval of standard amendment, duly communicated, does not imply an amendment of the single document, the Commission shall make public, via the digital systems referred to in Article 14(1) Regulation (EU) No 2024/XXXX, the communication of the standard amendment within 3 months from the date on which it has received the communication of that standard amendment.
11. The Commission shall not publish a communication of approval of standard amendment which has not been duly made in accordance with paragraph 8. The Commission shall inform the applicant that the communication of standard amendment is not duly made within three months. In case of absence of reply from the applicant after two months from receiving the letter of the Commission the unduly made communication shall be deemed as not received.
12. The Member State shall communicate, without undue delay, to the Commission:
  - a. any immediately applicable judicial or administrative immediately applicable decision annulling a decision approving a standard amendment; and
  - b. the consolidated single document and the electronic reference to the product specification, or in case of amendment not modifying the single document, only the latter, updated following the annulment of that standard amendment.

The Commission shall publish in Official Journal of the European Union, C series information that the national decision approving the standard amendment has been annulled. This information shall be accompanied by the updated version of the single document, where appropriate, as communicated by the Member State in line with point b.

13. The Member State, the third country or the applicant producer group referred to in paragraph 7 that communicated a standard amendment to the Commission shall remain responsible for its content.
14. Standard amendments shall be applicable in the rest of the territory of the Union from the date on which they were published pursuant to paragraph 9, or made public pursuant to paragraph 10.
15. Where the defined geographical area covers more than one Member State, each Member State concerned shall apply the procedure for standard amendments separately. The standard amendment shall be applicable in the territory of the Member States concerned only after the last national approval decision becomes applicable. The Member State being the last to approve the standard amendment shall send the Commission the relevant communication not later than 1 month following the date on which its approval decision was made public.

If one or more of the Member States concerned do not adopt the national approval decision referred to in the first subparagraph, any of the Member States concerned may submit that application under the Union amendment procedure. In this case the Member State applicant for approval of Union amendment shall demonstrate that the standard amendment procedure had failed to conclude in one or more of the Member States the geographical indication originates from. The related Union opposition procedure shall be open to all Member States with the exclusion of the Member State applicant for the approval of the Union amendment.
16. Paragraph 15 shall apply *mutatis mutandis* where a part of the defined geographical area concerned is located in the territory of a third country.
17. The approval of a standard amendment of the product specification of a geographical indication for which a single document has never been published in all the official languages of the Union shall always be accompanied by a single document to be published for information at Union level.

#### *Article 5*

### **Relationship between Union and standard amendments**

1. Where standard amendments implying amendments of the single document is approved, while an application for approval of a Union amendment is pending with the Commission, the Member State concerned shall update the single document included in the application for approval of a Union amendment accordingly. If the pending Union amendment has been published in the *Official Journal of the European Union*, for opposition, the updated version of the single document shall be published in the *Official Journal of the European Union*, L series, as an annex to the implementing regulation approving the Union amendment.
2. Where the amended version of the single document included in an application for standard amendment approved at national level does not take into account the latest Union amendments that have been approved, that standard amendment shall not be published in the Official Journal of the European Union. The Member State that had

approved that standard amendment shall send to the Commission the consolidated version of the single document as amended by both the Union and the standard amendments for publication in the Official Journal of the European Union.

#### *Article 6*

##### **Temporary amendments to a product specification of a geographical indication**

1. Temporary amendments to a product specification shall be approved and made public by the Member State in whose territory the defined geographical area of the geographical indication concerned is located. Temporary amendments may concern a part of the geographical area.
2. Temporary amendments shall be communicated to the Commission together with the reasons supporting them and the national approval decision not later than 1 month following the date on which that decision was made public. A temporary amendment shall be applicable in the Member State concerned from the date on which the decision approving the amendment was made public.
3. Each temporary amendment shall apply for a limited period of time set out by the authority approving the amendment. It may only be renewed if the exceptional circumstances referred to in Article 24(5) of Regulation (EU) 2024/XXXX on the basis of which was first approved still exist. A renewal of temporary amendments shall be communicated to the Commission following the procedure provided for communication of temporary amendments.
4. Where the geographical area covers more than one Member State, each of the Member States concerned shall apply the procedure for temporary amendments referred to in paragraph 1 separately.
5. Temporary amendments concerning geographical indications originating in third countries shall be communicated to the Commission, together with the reasons supporting them, by an applicant group, either directly or via the authorities of that third country, not later than 1 month following their approval.
6. The communication of an approved temporary amendment to the Commission shall be considered to be duly made when it contains the elements listed in Article XX of Implementing Regulation (EU) No 2024/XXXX.
7. The Commission shall make public the communication of temporary amendments via the digital systems referred to in Article 14(1) of Regulation (EU) No 2024/XXXX within 3 months from the date on which it has received the communication of temporary amendments. Temporary amendments shall be applicable in the territory of the Union from the date, on which they were made public by the Commission.
8. The Member State, third country or the applicant producer group referred to in paragraph 5 that communicated a temporary amendment to the Commission shall remain responsible for its content.



## **CHAPTER II**

### **Special rules for agricultural products**

#### *Article 7*

#### **Sourcing of raw materials for protected geographical indications**

The justification referred to in Article 47(4) of Regulation (EU) No 2024/XXXX shall be required also when the requirement that specific steps of production that must take place in the defined geographical area results in restrictions to the sourcing of raw materials.

## **CHAPTER III**

### **Traditional Specialities Guaranteed**

#### *Article 8*

#### **Limitation of length of product specifications for traditional specialities guaranteed**

The product specification referred to in Article 54 of Regulation (EU) No 2024/XXXX shall be concise and shall not exceed 5 000 words, except in duly justified cases.

#### *Article 9*

#### **Amendments of traditional specialities guaranteed**

The approval by the Commission of an application for approval of an amendment to a product specification of a traditional speciality guaranteed shall only cover the amendments included in the application referred to in Article 66(1) of Regulation (EU) No 2024/XXXX.

## **CHAPTER IV**

### **Final provisions**

#### *Article 10*

#### **Repeal**

Commission Delegated Regulation (EU) 664/2014 is hereby repealed.

#### *Article 11*

This Regulation shall enter into force on the [...] day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the Commission*  
*The President*  
[\[...\]](#)