

EU food quality scheme

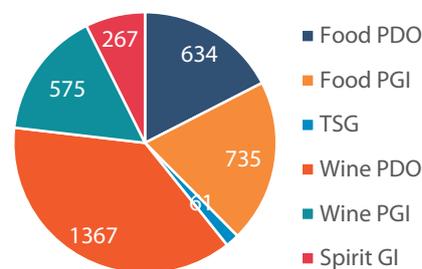
The quality of European agricultural products often relies on their geographical origins, the traditional recipes used to make them, and the methods used in production and processing. These human and geographical factors are intrinsic to making a product unique. In 1992, the EU developed a quality scheme for foodstuffs, including the designation of their origin. The objectives of the EU quality scheme are to provide consumers with clear information, allowing them to make a more informed choice, and to indicate the added value of a given product. The protection of European local and gastronomic traditions, especially against imitation in third countries, is another important aim of the regulations. Consequently, the EU's engagement in protecting its registered products on the global market is a contentious issue in the negotiation of many trade agreements.

EU quality labels: What is behind the acronyms?

The three main EU quality signs are: Protected Designation of Origin (PDO), Protected Geographical Indication (PGI) and Traditional Speciality Guaranteed (TSG). PDO and PGI are both geographical indications (GIs), focusing on the link between the product and a geographical area.

More than 3 600 EU products are registered under one of these labels (see Figure 1). The rules for registration and protection are laid down in [Regulation 1151/2012](#) (for agricultural products and foodstuffs), [Regulation 1308/2013](#) (for wine) and [Regulation 2019/787](#) (for spirit drinks).

Figure 1:
EU-28 registered quality labels



Sources: E-Bacchus, DOOR database, E-spirit, DG AGRI, European Commission.



Protected Designation of Origin

The PDO label guarantees that a product (or the ingredients used to make it) originates from a specific region and that the link between the product and the region is unique and very strong. To be registered as a PDO, a product must, firstly, originate in a specific place or region; secondly, have qualities essentially or exclusively due to the particular environment of the place of origin; and finally, all stages of production must take place in the area. Well-known PDOs include *prosciutto di Parma*, *Charolais* and *feta*.



Protected Geographical Indication

The rules for granting the PGI label are less stringent. Here, the bond to the region of origin is not as strong: the characteristic or quality of the product must be 'essentially attributable' to the geographical origin, and at least one, rather than all, of the stages of production must take place in the specific region. PGI products include *Bayerisches Bier*, *Scottish wild salmon* or *choucroute d'Alsace*.



Traditional Speciality Guaranteed

Unlike the designations above, a TSG is not a label of origin. Here, the focus is on tradition: identifying a product that has a specific character due to a traditional method of production. In this case, no link to a region of origin is necessary. To be registered as a TSG, the product has to be made with traditional ingredients or using a traditional production method. TSG does not apply to wines and spirits. TSG products include *vieille kriek*, *jamón serrano* or *pizza Napoletana*.

Requirements for wine and spirit drinks

To benefit from PDO or PGI designations, wines have to fulfil different conditions regarding their origin. For PDO, the grapes have to originate exclusively from the specific region where the wine is made. For PGI, only 85 % of the grapes must come from the region where it is produced. Spirit drinks can only receive a PGI denomination.

Scope of the protection given by a registered geographical indication

The protection of registered names of products safeguards against:

- Commercial use of a registered name by a comparable product and exploitation of the reputation of the protected name. For example: using the name '*champagne*' for a sparkling wine not produced in the French region of Champagne.
- Misuse of the name or imitation, even if the protected name is followed by an expression such as 'style', 'type', and 'method'. For example '*prosciutto di Parma*-style ham'.
- Other false or misleading indications related to the origin, nature or qualities of the product that can give a false impression as to the true origin of the product.

International scene and EU geographical indications

Two main instruments govern worldwide GI protection: the agreement on [Trade-related Aspects of Intellectual Property Rights](#) of the World Trade Organization (TRIPS); and the World Intellectual Property Organization's [Lisbon Agreement](#) for the protection of appellations of origin and their international registration.

Under [TRIPS](#), a GI can only be defined as a PGI, and is only protected against misleading use of its name. Wines and spirits enjoy higher protection, particularly against the use of expressions placed next to the name of origin, such as 'style' or 'type', which is not the case for foodstuffs. The EU's ambitions within the WTO are to create a mandatory GI register for wines and to widen the protection of wines to all agricultural products. However, divergence of approaches regarding GIs, especially within the 'New World' countries, hinders these aspirations.

In March 2019, Parliament and Council reached agreement on [EU accession to the Geneva Act](#) of the Lisbon Agreement, a multilateral treaty managed by the World Intellectual Property Organization. The EU will be a separate contracting party, alongside seven EU Member States that are already signatories. The Lisbon Agreement is a registration mechanism. Once a GI is registered, it must be protected in all the signatory states, and the level of safeguard is the same as that of the EU.

According to the European Commission, the worldwide sales value of EU geographical indications was estimated at €54.3 billion in 2010, and represented 5.7 % of total food and drink sector sales.

The EU actively engages in [protecting](#) its GIs on third-country markets. Their protection is included in agreements with many trade partners, for instance Canada, where [CETA](#) recognises and offers protection on the Canadian market for over 140 EU geographical indications. However, this is a contentious issue in negotiations, due to different legal approaches (a *sui generis* system of law, versus protection under trademark law). In addition, some product names that have GI status in EU countries are considered generic terms (common names) in other countries (for example products, such as feta and parmesan cheese or madeira

wine, are sold using names of an area in the EU, without being produced there). In the EU view, this may mislead consumers and mean that EU producers lose out. On the other hand, third countries see the EU's insistence on ensuring exclusive use of such terms for EU producers as a protectionist measure that disadvantages potential competitors.

European Parliament's position

In its recommendations on negotiating mandates for trade negotiations with third countries (such as [Australia](#) and [New Zealand](#) or [TTIP](#)), Parliament stressed that the negotiating directives should include measures covering the recognition and protection of intellectual property rights, including GIs for wines and spirits and other agri-food products. In a [resolution](#) on the future of food and farming, Parliament welcomed the progress achieved in promoting the EU's agricultural interests in trade negotiations, notably as regards the protection of GIs in third countries, and hoped that this trend would continue.

Parliament also adopted a [resolution](#) on the possible extension of protection of geographical indications to non-agricultural products where it stressed the need to create a single European system of protection of GIs for non-food products, and called on the Commission to submit a legislative proposal in this regard.

