

Amendment 262/rev
Anne Sander
 on behalf of the EPP Group

Report**A8-0198/2019****Eric Andrieu**

Common agricultural policy – amendment of the CMO and other Regulations
 (COM(2018)0394 – C8-0246/2018 – 2018/0218(COD))

Proposal for a regulation**Article 1 – paragraph 1 – point 5 a (new)**

Regulation (EU) No 1308/2013

Article 78

*Present text**Amendment*

Article 78

Definitions, designations and sales descriptions for certain sectors and products

1. In addition, where relevant, to the applicable marketing standards, the definitions, designations and sales descriptions provided for in Annex VII shall apply to the following sectors or products:

- (a) beef and veal;
- (b) wine;
- (c) milk and milk products intended for human consumption;
- (d) poultrymeat;
- (e) eggs;
- (f) spreadable fats intended for human consumption; **and**
- (g) olive oil and table olives.

(5a) Article 78 is replaced by the following:

"Article 78

Definitions, designations and sales descriptions for certain sectors and products

1. In addition, where relevant, to the applicable marketing standards, the definitions, designations and sales descriptions provided for in Annex VII shall apply to the following sectors or products:

- (a) beef and veal;
- (b) wine;
- (c) milk and milk products intended for human consumption;
- (d) poultrymeat;
- (e) eggs;
- (f) spreadable fats intended for human consumption;
- (g) olive oil and table olives;
- (h) pigmeat;**
- (i) sheepmeat;**
- (j) goatmeat;**

2. The definitions, designations or sales descriptions provided for in Annex VII may be used in the Union only for the marketing of a product which conforms to the corresponding requirements laid down in that Annex.

3. The Commission shall be empowered to adopt delegated acts in accordance with Article 227 concerning the modifications, derogations or exemptions to the definitions and sales descriptions provided for in Annex VII. Those delegated acts shall be strictly limited to demonstrated needs resulting from evolving consumer demand, technical progress or the need for product innovation.

4. In order to ensure that operators and Member States have a clear and proper understanding of the definitions and sales descriptions provided for in Annex VII, the Commission shall be empowered to adopt delegated acts in accordance with Article 227 concerning the rules on their specification and application.

(k) horsemeat; and

(l) rabbitmeat.

2. The definitions, designations or sales descriptions provided for in Annex VII may be used in the Union only for the marketing **and promotion** of a product which conforms to the corresponding requirements laid down in that Annex. ***Annex VII may prescribe the conditions under which such designations or sales descriptions are protected, at the time that they are marketed or promoted, against unlawful commercial use, misuse, imitation or evocation.***

3. The Commission shall be empowered to adopt delegated acts in accordance with Article 227 concerning the modifications, derogations or exemptions to the definitions and sales descriptions provided for in Annex VII, ***apart from those provided for in Part Ia thereof.*** Those delegated acts shall be strictly limited to demonstrated needs resulting from evolving consumer demand, technical progress or the need for product innovation.

4. In order to ensure that operators and Member States have a clear and proper understanding of the definitions and sales descriptions provided for in Annex VII, the Commission shall be empowered to adopt delegated acts in accordance with Article 227 concerning the rules on their specification and application.

4a. In order to ensure market transparency, meet expectations of consumers and take into account the evolution of the meat market, the Commission shall be empowered to adopt delegated acts in accordance with Article 227 supplementing Part Ia of Annex VII by specifying the sales names and descriptions of meat, meat cuts and meat products reserved exclusively for edible parts of the animals and products containing meat in accordance with the

rules provided for in that part of Annex VII.

5. In order to take into account the expectations of consumers and the evolution of the milk products market, the Commission shall be empowered to adopt delegated acts in accordance with Article 227 to specify the milk products in respect of which the animal species from which the milk originates is to be stated, if it is not bovine, and to lay down the necessary rules.

5. In order to take into account the expectations of consumers and the evolution of the milk products market, the Commission shall be empowered to adopt delegated acts in accordance with Article 227 to specify the milk products in respect of which the animal species from which the milk originates is to be stated, if it is not bovine, and to lay down the necessary rules."

Or. en

Justification

This amendment aims to extend the scope of the marketing standards (definition, the designations and the sales descriptions) and to empower the Commission with the possibility to adopt delegated act to supplement supplementing Part Ia of Annex VII by specifying the sales names and descriptions of meat, meat cuts and meat products reserved exclusively for edible parts of the animals and products containing meat in accordance with the rules provided for in that part of Annex VII.

Amendment 263/rev**Anne Sander**

on behalf of the EPP Group

Jérémy Decerle

on behalf of the Renew Group

Eric Andrieu

on behalf of the S&D Group

Report**Eric Andrieu****A8-0198/2019**

Common agricultural policy – amendment of the CMO and other Regulations
(COM(2018)0394 – C8-0246/2018 – 2018/0218(COD))

Proposal for a regulation**Article 1 – paragraph 1 – point 14 a (new)**

Regulation (EU) No 1308/2013

Article 103

*Present text**Amendment*

Article 103

(14a) Article 103 is replaced by the following:

"Article 103

Protection

Protection

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.

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.

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:

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:

(a) any direct or indirect commercial use of that protected name:

(a) any direct or indirect commercial use of that protected name:

(i) by comparable products not complying with the product specification of the protected name; or

(i) by comparable products not complying with the product specification of the protected name; or

(ii) in so far as such use exploits the reputation of a designation of origin or a geographical indication;

(ii) in so far as such use exploits, ***weakens or dilutes*** the reputation of a designation of origin or a geographical

(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;

(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;

(d) any other practice liable to mislead the consumer as to the true origin of the product.

3. Protected designations of origin and protected geographical indications shall not become generic in the Union within the meaning of Article 101(1).

indication, ***including when a registered name is used as an ingredient;***

(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, ***including when those registered names are used as an ingredient;***

(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;

(d) any other practice liable to mislead the consumer as to the true origin of the product;

(da) any indication, in bad faith, of a domain name that is similar or that may be confused, in full or part, with a protected name.

3. Protected designations of origin and protected geographical indications shall not become generic in the Union within the meaning of Article 101(1).

3a. The protection referred to in paragraph 2 shall also apply with regard to goods entering the customs territory of the Union without being released for free circulation within the customs territory of the Union and with regard to goods sold through means of electronic commerce in the Union.

3b. When the geographical area of a wine benefiting from a protected designation of origin is covered by another protected designation of origin whose geographical area is larger, the Member States may determine the conditions under which the wines in

question may benefit from this other protected designation of origin. Those conditions must be included in the product specifications of the concerned wines. "

Or. en

Justification

This amendment aims to regulate a practice where PDO and PGI wines whose geographical area is covered by a larger geographical area of another PDO or PGI can benefit from the other PDO or PGI or be blended with the wines from those PDO or PGI. Member States should determine the conditions under which these practice is allowed. These conditions should be included in the product specifications of the wines in question.