



2016/0392(COD)

14.7.2017

AMENDMENTS

22 - 101

Draft opinion

Nicola Danti

(PE606.055v02-00)

Definition, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs and the protection of geographical indications for spirit drinks

Proposal for a regulation

(COM(2016)0750 – C8-0496/2016 – 2016/0392(COD))

Amendment 22
Tiziana Beghin, Piernicola Pedicini, Marco Zullo

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) It should be clarified that a new category may only be added if a spirit drink has a significant market share in at least one Member State. Moreover, the name chosen for the new category shall either be a widely used name or, where this is not possible, be of a descriptive nature, in particular, by referring to the raw material used for the production of the spirit drink.

Amendment

(8) It should be clarified that a new category may only be added if a spirit drink has a significant market share in at least one Member State ***or if a significant part of its production is exported to a third country***. Moreover, the name chosen for the new category shall either be a widely used name or, where this is not possible, be of a descriptive nature, in particular, by referring to the raw material used for the production of the spirit drink ***or to the geographical area of provenance***.

Or. it

Amendment 23
Emma McClarkin

Proposal for a regulation
Recital 15

Text proposed by the Commission

(15) In some cases, food business operators may be required or may want to indicate the origin of spirit drinks to draw consumers' attention to the qualities of their product. ***Such origin indications should comply with harmonised criteria.*** Therefore, specific provisions on the indication of the country of origin or place of provenance in the presentation and labelling of spirit drinks should be laid down.

Amendment

(15) In some cases, food business operators may be required or may want to indicate the origin of spirit drinks to draw consumers' attention to the qualities of their product. Therefore, specific provisions on the indication of the country of origin or place of provenance in the presentation and labelling of spirit drinks should be laid down.

Or. en

Amendment 24

Proposal for a regulation

Recital 15

Text proposed by the Commission

(15) In some cases, food business operators may be required or may want to indicate the origin of spirit drinks to draw consumers' attention to the qualities of their product. ***Such origin indications should comply with harmonised criteria.*** Therefore, specific provisions on the indication of the country of origin or place of provenance in the presentation and labelling of spirit drinks should be laid down.

Amendment

(15) In some cases, food business operators may be required or may want to indicate the origin of spirit drinks to draw consumers' attention to the qualities of their product. Therefore, specific provisions on the indication of the country of origin or place of provenance in the presentation and labelling of spirit drinks should be laid down.

Or. en

Justification

The proposal introduces rules on origin from the Union Customs Code used for tariff classification purpose and which are not appropriate for determining origin of spirits. This amendment is consistent with amended Article 12, paragraph 1.

Amendment 25

David Martin

Proposal for a regulation

Recital 17

Text proposed by the Commission

(17) Concerning the protection of geographical indications, it is important to have due regard to the Agreement on Trade-Related Aspects of Intellectual Property Rights ('TRIPS Agreement'), and in particular Articles 22 and 23 thereof, and to the General Agreement on Tariffs and Trade ('GATT Agreement') which were approved by Council Decision 94/800/EC.¹²

Amendment

(17) Concerning the protection of geographical indications, it is important to have due regard to the Agreement on Trade-Related Aspects of Intellectual Property Rights ('TRIPS Agreement'), and in particular Articles 22 and 23 thereof, and to the General Agreement on Tariffs and Trade ('GATT Agreement') ***including Article V thereof on freedom of transit,*** which were approved by Council Decision 94/800/EC.¹² ***Within such legal framework, in order to strengthen geographical indication protection and to combat counterfeiting more effectively, a***

facility should be introduced to permit the seizure of spirits suspected of infringing the protection given to geographical indications which are in transit through the Union customs territory.

¹² Council Decision 94/800/EC of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986-1994) (OJ L 336, 23.12.1994, p. 1).

¹² Council Decision 94/800/EC of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986-1994) (OJ L 336, 23.12.1994, p. 1).

Or. en

Amendment 26

Frédérique Ries, Hannu Takkula, Patricia Lalonde, Jean-Marie Cavada

Proposal for a regulation

Recital 17

Text proposed by the Commission

(17) Concerning the protection of geographical indications, it is important to have due regard to the Agreement on Trade-Related Aspects of Intellectual Property Rights ('TRIPS Agreement'), and in particular Articles 22 and 23 thereof, and to the General Agreement on Tariffs and Trade ('GATT Agreement') which were approved by Council Decision 94/800/EC.¹²

Amendment

(17) Concerning the protection of geographical indications, it is important to have due regard to the Agreement on Trade-Related Aspects of Intellectual Property Rights ('TRIPS Agreement'), and in particular Articles 22 and 23 thereof, and to the General Agreement on Tariffs and Trade ('GATT Agreement') which were approved by Council Decision 94/800/EC.¹² ***Furthermore, the protection of geographical indications should be extended to goods brought, in the course of trade, into the Union without being released for free circulation, where such goods, including packaging, come from third countries.***

¹² Council Decision 94/800/EC of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986-

¹² Council Decision 94/800/EC of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986-

1994) (OJ L 336, 23.12.1994, p. 1).

1994) (OJ L 336, 23.12.1994, p. 1).

Or. en

Justification

Customs are currently only able to intercept fake geographical indications in transit through the EU if there are sufficient grounds for suspecting that the goods will be diverted into the EU market. This amendment is consistent with the amendment on Article 18, paragraph 2, subparagraph 1 (new).

Amendment 27 **Emma McClarkin**

Proposal for a regulation **Recital 17**

Text proposed by the Commission

(17) Concerning the protection of geographical indications, it is important to have due regard to the Agreement on Trade-Related Aspects of Intellectual Property Rights ('TRIPS Agreement'), and in particular Articles 22 and 23 thereof, and to the General Agreement on Tariffs and Trade ('GATT Agreement') which were approved by Council Decision 94/800/EC.¹²

¹² Council Decision 94/800/EC of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986-1994) (OJ L 336, 23.12.1994, p. 1).

Amendment

(17) Concerning the protection of geographical indications, it is important to have due regard to the Agreement on Trade-Related Aspects of Intellectual Property Rights ('TRIPS Agreement'), and in particular Articles 22 and 23 thereof, and to the General Agreement on Tariffs and Trade ('GATT Agreement') which were approved by Council Decision 94/800/EC.¹² ***Furthermore, in order to tackle counterfeiting in spirit drinks, the protection of EU geographical indications should be extended to goods in transit through the EU customs territory, regardless of the final destination market.***

¹² Council Decision 94/800/EC of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986-1994) (OJ L 336, 23.12.1994, p. 1).

Or. en

Amendment 28

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Proposal for a regulation

Recital 18

Text proposed by the Commission

(18) Regulation (EU) No 1151/2012 of the European Parliament and of the Council¹³ does not apply to spirit drinks. Rules on protection of geographical indications of spirit drinks should therefore be laid down. Geographical indications identifying spirit drinks 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 the spirit drink are essentially attributable to its geographical origin should be registered by the Commission.

¹³ Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).

Amendment

(18) Regulation (EU) No 1151/2012 of the European Parliament and of the Council¹³ does not apply to spirit drinks. Rules on protection of geographical indications of spirit drinks should therefore be laid down. Geographical indications identifying spirit drinks as originating in the territory of a country, or a region or locality in that territory, where a given quality, reputation, ***traditional method of processing and production*** or other characteristic of the spirit drink are essentially attributable to its geographical origin should be registered by the Commission.

¹³ Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).

Or. it

Amendment 29

Emma McClarkin

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) Procedures for the registration, modification and possible cancellation of Union or third country geographical indications in accordance with the TRIPS Agreement should be laid down whilst automatically recognising the status of existing protected geographical indications of the Union. In view of making procedural rules on geographical indications

Amendment

(19) Procedures for the registration, modification and possible cancellation of Union or third country geographical indications in accordance with the TRIPS Agreement should be laid down whilst automatically recognising the status of existing protected ***registered*** geographical indications of the Union. In view of making procedural rules on geographical

consistent through all the sectors concerned, such procedures for spirit drinks should be modelled on *the more exhaustive and well tested* procedures for agricultural products and foodstuffs laid down in Regulation (EU) No 1151/2012 while taking into account specificities of spirit drinks. In order to simplify the registration procedures and to ensure that information for food business operators and consumers is electronically available *an* electronic register of geographical indications should be established.

indications consistent through all the sectors concerned, such procedures for spirit drinks should be modelled on *similar* procedures *used* for agricultural products and foodstuffs laid down in Regulation (EU) No 1151/2012 while taking into account specificities of spirit drinks. In order to simplify the registration procedures and to ensure that information for food business operators and consumers is electronically available, *a transparent and easily accessible* electronic register of geographical indications should be established, *provided it has the same legal value as Annex III of Regulation (EC) No 110/2008.*

Or. en

Amendment 30 **Seán Kelly**

Proposal for a regulation **Recital 19**

Text proposed by the Commission

(19) Procedures for the registration, modification and possible cancellation of Union or third country geographical indications in accordance with the TRIPS Agreement should be laid down whilst automatically recognising the status of existing protected geographical indications of the Union. In view of making procedural rules on geographical indications consistent through all the sectors concerned, such procedures for spirit drinks should be modelled on the more exhaustive and well tested procedures for agricultural products and foodstuffs laid down in Regulation (EU) *No 1151/2012* while taking into account specificities of spirit drinks. In order to simplify the registration procedures and to ensure that information for food business operators and consumers is electronically available *an* electronic register of geographical

Amendment

(19) Procedures for the registration, modification and possible cancellation of Union or third country geographical indications in accordance with the TRIPS Agreement should be laid down whilst automatically recognising the status of existing protected geographical indications of the Union. In view of making procedural rules on geographical indications consistent through all the sectors concerned, such procedures for spirit drinks should be modelled on the more exhaustive and well tested procedures for agricultural products and foodstuffs laid down in Regulation (EU) *No 1151/2012* while taking into account specificities of spirit drinks. In order to simplify the registration procedures and to ensure that information for food business operators and consumers is electronically available *a transparent and comprehensive* electronic register of geographical indications should

indications should be established.

be established.

Or. en

Amendment 31
Eleonora Forenza

Proposal for a regulation
Recital 22

Text proposed by the Commission

(22) In order to take into account evolving consumer demands, technological progress, developments in the relevant international standards and the need to improve the economic conditions of production and marketing, the traditional ageing processes and, in exceptional cases, the law of the importing third countries, and in order to ensure the protection of geographical indications, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the amendment of or derogations from the technical definitions and requirements of the categories of spirit drinks and the specific rules concerning some of them referred to under Chapter I of this Regulation, the labelling and presentation referred to under Chapter II of this Regulation, the geographical indications referred to under Chapter III of this Regulation and the checks and exchange of information referred under Chapter IV of this Regulation.

Amendment

(22) In order to take into account evolving consumer demands, technological progress, developments in the relevant international **and social** standards and the need to improve the economic conditions of production and marketing, the traditional ageing processes and, in exceptional cases, the law of the importing third countries, and in order to ensure the protection of geographical indications, **the traditional practices as well as the social sustainability of the production chain**, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the amendment of or derogations from the technical definitions and requirements of the categories of spirit drinks and the specific rules concerning some of them referred to under Chapter I of this Regulation, the labelling and presentation referred to under Chapter II of this Regulation, the geographical indications referred to under Chapter III of this Regulation and the checks and exchange of information referred under Chapter IV of this Regulation.

Or. en

Amendment 32
Frédérique Ries, Patricia Lalonde, Jean-Marie Cavada

Proposal for a regulation
Recital 22

Text proposed by the Commission

(22) In order to take into account evolving consumer demands, technological progress, developments in the relevant international standards and the need to improve the economic conditions of production and marketing, the traditional ageing processes and, in exceptional cases, the law of the importing third countries, and in order to ensure the protection of geographical indications, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the amendment of or derogations from the technical definitions and requirements of the categories of spirit drinks and the specific rules concerning some of them referred to under Chapter I of this Regulation, the labelling and presentation referred to under Chapter II of this Regulation, the geographical indications referred to under Chapter III of this Regulation and the checks and exchange of information referred under Chapter IV of this Regulation.

Amendment

(22) In order to take into account evolving consumer demands, technological progress, developments in the relevant international standards and the need to improve the economic conditions of production and marketing, the traditional ageing processes and, in exceptional cases, the law of the importing third countries, and in order to ensure the protection of geographical indications, ***while taking into account the importance of traditional practices***, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the amendment of or derogations from the technical definitions and requirements of the categories of spirit drinks and the specific rules concerning some of them referred to under Chapter I of this Regulation, the labelling and presentation referred to under Chapter II of this Regulation, the geographical indications referred to under Chapter III of this Regulation and the checks and exchange of information referred under Chapter IV of this Regulation.

Or. en

Justification

Traditional practices is a key element in the spirits drinks sector and should be taken into account.

Amendment 33
Emma McClarkin

Proposal for a regulation
Recital 22

Text proposed by the Commission

(22) In order to take into account evolving consumer demands, technological progress, developments in the relevant international standards and the need to

Amendment

(22) In order to take into account evolving consumer demands, technological progress, developments in the relevant international standards and the need to

improve the economic conditions of production and marketing, the traditional ageing processes and, in exceptional cases, the law of the importing third countries, and in order to ensure the protection of geographical indications, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the amendment of or derogations from the technical definitions and requirements of the categories of spirit drinks and the specific rules concerning some of them referred to under Chapter I of this Regulation, the labelling and presentation referred to under Chapter II of this Regulation, the geographical indications referred to under Chapter III of this Regulation and the checks and exchange of information referred under Chapter IV of this Regulation.

improve the economic conditions of production and marketing, the traditional ageing processes and, in exceptional cases, the law of the importing third countries, and in order to ensure the protection of geographical indications, ***while taking into account the importance of traditional practice***, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the amendment of or derogations from the technical definitions and requirements of the categories of spirit drinks and the specific rules concerning some of them referred to under Chapter I of this Regulation, the labelling and presentation referred to under Chapter II of this Regulation, the geographical indications referred to under Chapter III of this Regulation and the checks and exchange of information referred under Chapter IV of this Regulation.

Or. en

Amendment 34
Santiago Fisas Aixelà

Proposal for a regulation
Recital 22

Text proposed by the Commission

(22) In order to take into account evolving consumer demands, technological progress, developments in the relevant international standards and the need to improve the economic conditions of production and marketing, the traditional ageing processes and, in exceptional cases, the law of the importing third countries, and in order to ensure the protection of geographical indications, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the amendment of or derogations from the technical definitions and requirements of the categories of spirit drinks and the specific

Amendment

(22) In order to take into account evolving consumer demands, technological progress, developments in the relevant international standards and the need to improve the economic conditions of production and marketing, the traditional ageing processes and, in exceptional cases, the law of the importing third countries, and in order to ensure the protection of geographical indications, ***while taking into account the importance of traditional practices***, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the amendment of or derogations from the technical definitions and

rules concerning some of them referred to under Chapter I of this Regulation, the labelling and presentation referred to under Chapter II of this Regulation, the geographical indications referred to under Chapter III of this Regulation and the checks and exchange of information referred under Chapter IV of this Regulation.

requirements of the categories of spirit drinks and the specific rules concerning some of them referred to under Chapter I of this Regulation, the labelling and presentation referred to under Chapter II of this Regulation, the geographical indications referred to under Chapter III of this Regulation and the checks and exchange of information referred under Chapter IV of this Regulation.

Or. es

Justification

Traditional practices are a key element in the spirit drinks sector and should be taken into account.

Amendment 35
Santiago Fisas Aixelà

Proposal for a regulation
Article 4 – paragraph 1 – point e

Text proposed by the Commission

(e) solely be sweetened in accordance with point (3) of Annex I and in order to round off the final taste of the product.

Amendment

(e) solely be sweetened in accordance with point (3) of Annex I and in order to round off the final taste of the product. ***The particular legislation of the Member States shall be taken into account.***

Or. es

Justification

The aim is to maintain the status quo of Regulation (EC) No 110/2008.

Amendment 36
Frédérique Ries, Patricia Lalonde, Jean-Marie Cavada

Proposal for a regulation
Article 5 – paragraph 1 – subparagraph 2

Text proposed by the Commission

The delegated acts referred to in points (a) and (b) of the first subparagraph shall be PE608.156v01-00

Amendment

The delegated acts referred to in points (a) and (b) of the first subparagraph shall be

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limited to meeting demonstrated needs resulting from evolving consumer demands, technological progress, developments in relevant international standards or needs for product innovation.

limited to meeting demonstrated needs resulting from evolving consumer demands, technological progress, developments in relevant international standards or needs for product innovation, ***whilst taking into account the importance of traditional practices.***

Or. en

Justification

Traditional practices is a key element in the spirits drinks sector and should be taken into account. This amendment would be consistent with the reference to traditional practices in the recitals.

Amendment 37

Tiziana Beghin, Marco Zullo, Piernicola Pedicini

Proposal for a regulation

Article 5 – paragraph 2 – subparagraph 2 – point b

Text proposed by the Commission

(b) a spirit drink has a significant market share in at least one Member State;

Amendment

(b) a spirit drink has a significant market share in at least one Member State ***or a significant part of its production is exported to a third country;***

Or. it

Amendment 38

Santiago Fisas Ayxelà

Proposal for a regulation

Article 8 – paragraph 3

Text proposed by the Commission

3. Where a spirit drink meets the requirements of more than one of the categories of spirit drinks ***15*** to 47 of Part I of Annex II, it may be sold under one or more of the relevant sales denominations provided for under those categories.

Amendment

3. Where a spirit drink meets the requirements of more than one of the categories of spirit drinks ***I*** to 47 of Part I of Annex II, it may be sold under one or more of the relevant sales denominations provided for under those categories.

Or. es

Justification

The aim is to maintain the status quo of Regulation (EC) No 110/2008. If a spirit drink meets the requirements of more than one category, producers may decide which they wish to use. Under the Commission proposal, this possibility is limited to categories 15 to 47. The possibility of choosing should be allowed for all categories.

Amendment 39

Seán Kelly

Proposal for a regulation

Article 8 – paragraph 4 – subparagraph 2 – point b

Text proposed by the Commission

Amendment

(b) by terms ***indicated in*** the relevant product specification.

(b) by ***any*** terms ***permitted by*** the relevant product specification.

Or. en

Amendment 40

Emma McClarkin

Proposal for a regulation

Article 8 – paragraph 4 – subparagraph 2 – point b

Text proposed by the Commission

Amendment

(b) by terms ***indicated in*** the relevant product specification.

(b) by ***any*** terms ***permitted by*** the relevant product specification.

Or. en

Amendment 41

Seán Kelly

Proposal for a regulation

Article 8 – paragraph 5 – subparagraph 2

Text proposed by the Commission

Amendment

The sales denominations referred to in paragraph 1 supplemented by the term ‘flavour’ or any other similar terms may only be used to refer to flavourings that imitate a spirit drink or their use in the

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production of a foodstuff other than a beverage. Geographical indications shall not be used to describe flavourings.

Or. en

Amendment 42

Edouard Ferrand, Franz Obermayr, Matteo Salvini, Georg Mayer

Proposal for a regulation

Article 8 – paragraph 5 – subparagraph 2

Text proposed by the Commission

The sales denominations referred to in paragraph 1 supplemented by the term ‘flavour’ or any other similar terms may only be used to refer to flavourings that imitate a spirit drink or their use in the production of a foodstuff other than a beverage. Geographical indications shall not be used to describe flavourings.

Amendment

Geographical indications and sales denominations shall not be used to describe flavourings.

Or. it

Amendment 43

Tiziana Beghin, Piernicola Pedicini, Marco Zullo

Proposal for a regulation

Article 8 – paragraph 5 – subparagraph 2

Text proposed by the Commission

The sales denominations referred to in paragraph 1 supplemented by the term ‘flavour’ or any other similar terms may only be used to refer to flavourings *that imitate a spirit drink or* their use in the production of a foodstuff other than a beverage. Geographical indications shall not be used to describe flavourings.

Amendment

The sales denominations referred to in paragraph 1 supplemented by the term ‘flavour’ or any other similar terms may only be used to refer to flavourings *for* their use in the production of a foodstuff other than a beverage. Geographical indications shall not be used to describe flavourings.

Or. it

Amendment 44

Seán Kelly

Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission

1. Where the origin of a spirit drink is indicated, it shall *correspond* to the *country or territory of origin in accordance with Article 60 of Regulation (EU) No 952/2013 of the European Parliament and of the Council*¹⁶ .

¹⁶ Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).

Amendment

1. Where the origin of a spirit drink is indicated, it shall *refer* to the *place or region where the stage in the production process conferring on the spirit drink its character and essential definitive qualities took place*.

Or. en

Amendment 45

Frédérique Ries, Hannu Takkula, Patricia Lalonde, Jean-Marie Cavada

Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission

1. Where the origin of a spirit drink is indicated, it shall *correspond to the country or territory of origin in accordance with Article 60 of Regulation (EU) No 952/2013 of the European Parliament and of the Council*¹⁶ .

¹⁶ *Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).*

Amendment

1. Where the origin of a spirit drink is indicated, it shall *mean the place or region where the stage in the production process of the finished product which conferred on the spirit drink its character and essential qualities took place*.

Or. en

Justification

This amendment reinstates the current definition of "place of manufacture". The proposal introduces rules on origin from the Union Customs Code used for tariff classification purpose and which are not appropriate for determining origin of spirits. This amendment is consistent with amended recital 12.

Amendment 46

David Martin

Proposal for a regulation

Article 12 – paragraph 1

Text proposed by the Commission

1. Where the origin of a spirit drink is indicated, it shall correspond to the **country or territory of origin in accordance with Article 60 of Regulation (EU) No 952/2013 of the European Parliament and of the Council**¹⁶.

Amendment

1. Where the origin of a spirit drink is indicated, it shall correspond to the **place or region where the stage in the production process of the finished product which conferred on the spirit drink its character and essential qualities took place**.

¹⁶ Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).

Or. en

Amendment 47

Tiziana Beghin, Marco Zullo

Proposal for a regulation

Article 12 – paragraph 2

Text proposed by the Commission

2. The indication of the country or territory of origin of the ingredients shall **not** be required **for spirit drinks**.

Amendment

2. The indication of the country or territory of origin of the ingredients **of spirit drinks** shall be required **where they constitute at least 25% of the drink**.

Or. it

Amendment 48
Seán Kelly

Proposal for a regulation
Article 13 – paragraph 1

Text proposed by the Commission

The terms in italics in Annex II and the geographical indications shall neither be translated on the label nor in the presentation of the spirit drink.

Amendment

In the case of spirit drinks produced in the Union and intended for export, the particulars provided for in this Regulation may be repeated in a language other than an official language of the Union when it is a legal requirement of the importing country.

Or. en

Amendment 49
Emma McClarkin

Proposal for a regulation
Article 13 – paragraph 1 a (new)

Text proposed by the Commission

Without prejudice to paragraph 1, in the case of spirit drinks produced in the Union and intended for export, the geographical indications and the terms in italics in Annex II of this Regulation may be supplemented in a language other than an official language of the Union when it is a legal requirement of the importing country. However, the particulars provided in the language of the importing country shall not replace the Union official language version.

Amendment

Or. en

Amendment 50
Santiago Fisas Aixelà

Proposal for a regulation

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Article 16 – paragraph 1 – introductory part

Text proposed by the Commission

1. In order to take into account evolving consumer demands, technological progress, developments in the relevant international standards and the need to improve the economic conditions of production and marketing, the Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning:

Amendment

1. In order to take into account evolving consumer demands, technological progress, developments in the relevant international standards and the need to improve the economic conditions of production and marketing, ***while ensuring, at the same time, that consumers are protected and traditional practices are taken into account***, the Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning:

Or. es

Justification

Traditional practices and consumer protection are key elements of the proposal and should be taken into account.

Amendment 51
Emma McClarkin

Proposal for a regulation
Article 16 – paragraph 3

Text proposed by the Commission

3. ***In exceptional cases where the law of the importing third country so requires, the Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning derogations from the provisions on presentation and labelling contained in this Chapter.***

Amendment

deleted

Or. en

Amendment 52
Tiziana Beghin, Piernicola Pedicini, Marco Zullo

Proposal for a regulation
Article 18 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(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 or accompanied by an expression such as ‘style’, ‘type’, ‘method’, ‘as produced in’, ‘imitation’, ‘flavour’, ‘like’ or similar;

(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 or accompanied by an expression such as ‘style’, ‘type’, **'sort'**, ‘method’, ‘as produced in’, ‘imitation’, ‘flavour’, ‘like’ or similar;

Or. it

Amendment 53

Frédérique Ries, Hannu Takkula, Patricia Lalonde, Jean-Marie Cavada

Proposal for a regulation

Article 18 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(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 product concerned, and the packing of the product in a container*** liable to convey a false impression as to its origin;

(c) any other false or misleading indication as to the provenance, origin, nature or essential qualities of the product, on the ***presentation or labelling of the*** product, liable to convey a false impression as to its origin;

Or. en

Justification

This amendment reinstates the wording of Article 16(c) of the current regulation, which appears less restrictive, so as to also include any sales promotion associated with the product.

Amendment 54

Tiziana Beghin, Piernicola Pedicini, Marco Zullo

Proposal for a regulation

Article 18 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) any other false or misleading

(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 product concerned, and the packing of the product in a container liable to convey a false impression as to its origin;

indication as to the provenance, origin, **ingredients**, nature or essential qualities of the product, 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;

Or. it

Amendment 55

Frédérique Ries, Hannu Takkula, Patricia Lalonde, Jean-Marie Cavada

Proposal for a regulation

Article 18 – paragraph 2 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

The protection for geographical indications referred to in the first subparagraph shall be extended to goods brought, in the course of trade, into the Union without being released for free circulation, where such goods, including packaging, come from third countries.

Or. en

Justification

Customs are currently only able to intercept fake geographical indications in transit through the EU if there are sufficient grounds for suspecting that the goods will be diverted into the EU market. This amendment is consistent with amended recital 17.

Amendment 56

David Martin, Nicola Danti

Proposal for a regulation

Article 18 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. The protection for geographical indications referred to in paragraph 2 shall be extended to goods brought, in the course of trade, into the Union

without being released for free circulation, where such goods, including packaging, come from third countries.

Or. en

Amendment 57

Seán Kelly

Proposal for a regulation

Article 18 – paragraph 3

Text proposed by the Commission

3. Protected geographical indications shall not become generic in the Union within the meaning of Article 32(1) .

Amendment

3. Protected geographical indications shall not become generic in the Union within the meaning of Article 32(1) . *The protection for geographical indications referred to in paragraph 2 shall be extended to goods brought, in the course of trade, into the Union without being released for circulation, where such goods, including packaging, come from third countries.*

Or. en

Amendment 58

Emma McClarkin

Proposal for a regulation

Article 18 a (new)

Text proposed by the Commission

Amendment

Article 18 a

The protection of geographical indications referred to in paragraph 2 of Article 18 shall be extended to goods brought, in the course of trade, into the Union without being released for free circulation, where such goods, including packaging, come from third countries.

Or. en

Amendment 59

Edouard Ferrand, Franz Obermayr, Matteo Salvini, Georg Mayer

Proposal for a regulation

Article 19 – paragraph 1 – point f

Text proposed by the Commission

(f) details establishing the link between a given quality, *reputation* or other characteristic of the spirit drink and the geographical area referred to in point (d);

Amendment

(f) details establishing the link between a given quality or other characteristic of the spirit drink and the geographical area referred to in point (d);

Or. it

Amendment 60

Santiago Fisas Ayxelà

Proposal for a regulation

Article 21 – paragraph 5

Text proposed by the Commission

5. Where the application relates to a geographical area in a third country the application shall be lodged with the Commission, *either directly or* via the authorities of the third country concerned.

Amendment

5. Where the application relates to a geographical area in a third country the application shall be lodged with the Commission via the authorities of the third country concerned.

Or. es

Justification

Applications from third countries should be submitted by the authorities, not directly by the applicant. This will ensure that requests are consistent, since it implies that the authorities are sufficiently involved and have adequate knowledge of the file.

Amendment 61

Seán Kelly

Proposal for a regulation

Article 22

Text proposed by the Commission

Amendment

Transitional national protection

- 1. 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.*
- 2. 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.*
- 3. Where a name is not registered under this Chapter, the consequences of such national protection shall be the sole responsibility of the Member State concerned.*
- 4. The measures taken by Member States under paragraph 1 shall produce effects at national level only, and they shall have no effect on intra-Union or international trade.*

Or. en

Amendment 62
Emma McClarkin

Proposal for a regulation
Article 22

Text proposed by the Commission

Amendment

Article 22

deleted

Transitional national protection

- 1. 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.*
- 2. 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.*

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

4. The measures taken by Member States under paragraph 1 shall produce effects at national level only, and they shall have no effect on intra-Union or international trade.

Or. en

Amendment 63

Tiziana Beghin, Piernicola Pedicini, Marco Zullo

Proposal for a regulation

Article 23 – paragraph 1 – subparagraph 1

Text proposed by the Commission

The Commission shall scrutinise by appropriate means any application that it receives pursuant to Article 21, in order to check that it is justified and that it meets the conditions of this Chapter. This scrutiny ***should not exceed a period of 12 months***. Where this period is exceeded, the Commission shall indicate in writing to the applicant the reasons for the delay.

Amendment

The Commission shall scrutinise by appropriate means any application that it receives pursuant to Article 21, in order to check that it is justified and that it meets the conditions of this Chapter. This scrutiny ***must be completed within six months of reception of the application***. Where this period is exceeded, the Commission shall indicate in writing to the applicant the reasons for the delay.

Or. it

Amendment 64

Emma McClarkin

Proposal for a regulation

Article 23 – paragraph 1 – subparagraph 1

Text proposed by the Commission

The Commission shall scrutinise by appropriate means any application that it receives pursuant to Article 21, in order to check that it is justified and that it meets the conditions of this Chapter. This

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Amendment

The Commission shall scrutinise by appropriate means any application that it receives pursuant to Article 21, in order to check that it is justified and that it meets the conditions of this Chapter. This

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scrutiny should not exceed a period of **12** months. Where this period is exceeded, the Commission shall indicate in writing to the applicant the reasons for the delay.

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.

Or. en

Amendment 65

Tiziana Beghin, Piernicola Pedicini, Marco Zullo

Proposal for a regulation

Article 26 – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission

Without prejudice to Article 18, the Commission may adopt implementing acts granting a transitional period of up to **five** years to enable spirit drinks originating in a Member State or a third country the name of which contravenes Article 18(2) to continue to use the designation under which it was marketed on condition that an admissible statement of opposition under Article 21(3) or Article 24 shows that the registration of the name would jeopardise the existence of:

Amendment

Without prejudice to Article 18, the Commission may adopt implementing acts granting a transitional period of up to **two** years to enable spirit drinks originating in a Member State or a third country the name of which contravenes Article 18(2) to continue to use the designation under which it was marketed on condition that an admissible statement of opposition under Article 21(3) or Article 24 shows that the registration of the name would jeopardise the existence of:

Or. it

Amendment 66

Edouard Ferrand, Franz Obermayr, Matteo Salvini, Georg Mayer

Proposal for a regulation

Article 27 – paragraph 1

Text proposed by the Commission

1. Where, on the basis of the information available to the Commission from the scrutiny carried out pursuant to the first subparagraph of Article 23(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**

Amendment

1. Where, on the basis of the information available to the Commission from the scrutiny carried out pursuant to the first subparagraph of Article 23(1), the Commission considers that the conditions for registration are not fulfilled, it shall **provide the Member State responsible with its negative assessment and subsequent remarks, checking with that**

examination procedure referred to in Article 44(2).

Member State, within a set period of time, whether those conditions are a definitive impediment to registration;

Or. it

Justification

The subject of geographical indications should be one of dialogue and debate between the applicant country, which has full responsibility, and the Commission.

Amendment 67

Frédérique Ries, Patricia Lalonde, Jean-Marie Cavada

**Proposal for a regulation
Article 27 – paragraph 1**

Text proposed by the Commission

1. Where, on the basis of the information available to the Commission from the scrutiny carried out pursuant to the first subparagraph of Article 23(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 44(2).***

Amendment

1. Where, on the basis of the information available to the Commission from the scrutiny carried out pursuant to the first subparagraph of Article 23(1), the Commission considers that the conditions for registration are not fulfilled, it shall adopt ***delegated acts, in accordance with Article 43, supplementing this Regulation, in order to reject the application.***

Or. en

Justification

Delegated Acts are introduced to safeguard the existing EP rights.

Amendment 68

Edouard Ferrand, Franz Obermayr, Matteo Salvini, Georg Mayer

**Proposal for a regulation
Article 27 – paragraph 2**

Text proposed by the Commission

2. If the Commission receives no notice of opposition or no admissible reasoned statement of opposition under AM\1131272EN.docx

Amendment

2. If, ***further to the checks with the Member State responsible referred to in paragraph 1,*** the Commission receives no

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Article 24, it shall adopt implementing acts, without applying the procedure referred to in Article 44(2), registering the name.

notice of opposition or no admissible reasoned statement of opposition under Article 24, it shall adopt implementing acts, without applying the procedure referred to in Article 44(2), registering the name.

Or. it

Amendment 69

Frédérique Ries, Patricia Lalonde, Jean-Marie Cavada

Proposal for a regulation

Article 27 – paragraph 2

Text proposed by the Commission

2. If the Commission receives no notice of opposition or no admissible reasoned statement of opposition under Article 24, it shall adopt ***implementing*** acts, ***without applying the procedure referred to in Article 44(2), registering*** the name.

Amendment

2. If the Commission receives no notice of opposition or no admissible reasoned statement of opposition under Article 24, it shall adopt ***delegated*** acts, ***in accordance with Article 43, supplementing this Regulation, in order to register*** the name.

Or. en

Justification

Delegated Acts are introduced to safeguard the existing EP rights.

Amendment 70

Frédérique Ries, Patricia Lalonde, Jean-Marie Cavada

Proposal for a regulation

Article 27 – paragraph 3 – point a

Text proposed by the Commission

(a) if an agreement has been reached, ***register the name by means of implementing acts adopted without applying the procedure referred to in Article 44(2)***, and, if necessary, amend the information published pursuant to Article 23(2) provided such amendments are not substantial; or

Amendment

(a) if an agreement has been reached, ***adopt delegated acts, in accordance with Article 43, supplementing this Regulation in order to register the name*** and, if necessary, amend the information published pursuant to Article 23(2) provided such amendments are not substantial; or

Justification

Delegated Acts are introduced to safeguard the existing EP rights.

Amendment 71

Frédérique Ries, Patricia Lalonde, Jean-Marie Cavada

Proposal for a regulation**Article 27 – paragraph 3 – point b***Text proposed by the Commission*

(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 44(2).***

Amendment

(b) if an agreement has not been reached, adopt ***delegated acts, in accordance with Article 43, supplementing this Regulation, in order to decide on the registration.***

Justification

Delegated Acts are introduced to safeguard the existing EP rights.

Amendment 72

Emma McClarkin

Proposal for a regulation**Article 28 – paragraph 2 – subparagraph 2***Text proposed by the Commission*

However, where the amendment applications involve one or more amendments to the product specification that relate to the essential characteristics of the product, alter the link referred to in point (f) of Article 19, include a change to the name, or to any part of the name of the spirit drink, affect the defined geographical area or represent an increase in restrictions on trade in the product or its raw materials, the Member State shall submit the amendment application to the Commission for approval and the application shall

Amendment

However, where the amendment applications involve one or more amendments to the product specification that relate to the essential characteristics of the product, alter the link referred to in point (f) of Article 19, include a change to the name, or to any part of the name of the spirit drink, affect the defined geographical area or represent an increase in restrictions on trade in the product or its raw materials, the Member State shall submit the amendment application to the Commission for approval and the application shall

follow the procedure laid down in Articles 21 to 27.

follow the procedure laid down in Articles 21 **and 23** to 27. ***As regards third countries, the amendment shall be approved according to the system in place in those third countries.***

Or. en

Amendment 73
Emma McClarkin

Proposal for a regulation
Article 28 – paragraph 3

Text proposed by the Commission

3. The scrutiny of the application shall focus on the proposed amendment.

Amendment

3. The scrutiny of the application shall focus ***solely*** on the proposed amendment.

Or. en

Amendment 74
Frédérique Ries, Patricia Lalonde, Jean-Marie Cavada

Proposal for a regulation
Article 29 – paragraph 1 – introductory part

Text proposed by the Commission

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 geographical indication in the following cases:

Amendment

The Commission ***is empowered to adopt delegated acts in accordance with Article 43, and supplementing this Regulation***, on its own initiative or at the request of any natural or legal person having a legitimate interest, ***in order*** to cancel the registration of a geographical indication in the following cases:

Or. en

Justification

Delegated Acts are introduced to safeguard the existing EP rights.

Amendment 75
Tiziana Beghin, Piernicola Pedicini, Marco Zullo

Proposal for a regulation
Article 29 – paragraph 1 – introductory part

Text proposed by the Commission

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 geographical indication in the following cases:

Amendment

The Commission, *having carried out the appropriate checks, shall*, on its own initiative or at the request of any natural or legal person, adopt implementing acts to cancel the registration of a geographical indication in the following cases:

Or. it

Amendment 76
Frédérique Ries, Patricia Lalonde, Jean-Marie Cavada

Proposal for a regulation
Article 29 – paragraph 3

Text proposed by the Commission

The implementing acts referred to in the first paragraph shall be adopted in accordance with the examination procedure referred to in Article 44(2).

Amendment

deleted

Or. en

Justification

Delegated Acts are introduced to safeguard the existing EP rights.

Amendment 77
Seán Kelly

Proposal for a regulation
Article 30 – paragraph 1

Text proposed by the Commission

The Commission shall adopt implementing acts, without applying the procedure referred to in Article 44(2), establishing and maintaining a publicly accessible

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Amendment

The Commission shall adopt implementing acts, without applying the procedure referred to in Article 44(2), establishing and maintaining a publicly accessible

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updated electronic register of geographical indications of spirit drinks recognised under this scheme ('the Register').

updated electronic register of geographical indications of spirit drinks recognised under this scheme ('the Register'). ***The Register shall provide direct access to all product specifications for spirit drinks registered as geographical indications and shall carry the same legal value as the Annex III of Regulation (EC) 110/2008.***

Or. en

Amendment 78
Emma McClarkin

Proposal for a regulation
Article 30 – paragraph 1

Text proposed by the Commission

The Commission shall adopt implementing acts, without applying the procedure referred to in Article 44(2), establishing and maintaining a publicly accessible updated electronic register of geographical indications of spirit drinks recognised under this scheme ('the Register').

Amendment

The Commission shall adopt implementing acts, without applying the procedure referred to in Article 44(2), establishing and maintaining a publicly accessible updated electronic register of geographical indications of spirit drinks recognised under this scheme ('the Register'). ***The electronic register shall have the same legal value as Annex III of Regulation (EC) No 110/2008.***

Or. en

Amendment 79
Tiziana Beghin, Piernicola Pedicini, Marco Zullo

Proposal for a regulation
Article 30 – paragraph 1

Text proposed by the Commission

The Commission shall adopt implementing acts, without applying the procedure referred to in Article 44(2), establishing and maintaining a ***publicly accessible updated*** electronic register of geographical indications of spirit drinks recognised

Amendment

The Commission shall adopt implementing acts, without applying the procedure referred to in Article 44(2), establishing and maintaining ***an*** electronic register of geographical indications of spirit drinks recognised under this scheme ('the

under this scheme ('the Register').

Register') *that is transparent, exhaustive, updated and easily accessible to the public.*

Or. it

Amendment 80

Frédérique Ries, Patricia Lalonde, Jean-Marie Cavada

Proposal for a regulation

Article 30 – paragraph 1

Text proposed by the Commission

The Commission shall adopt *implementing acts, without applying the procedure referred to in Article 44(2)*, establishing and maintaining a publicly accessible updated electronic register of geographical indications of spirit drinks recognised under this scheme ('the Register').

Amendment

The Commission shall adopt *delegated acts in accordance with Article 43, supplementing this Regulation by* establishing and maintaining a publicly accessible updated electronic register of geographical indications of spirit drinks recognised under this scheme ('the Register').

Or. en

Justification

Delegated Acts are introduced to safeguard the existing EP rights.

Amendment 81

David Martin

Proposal for a regulation

Article 30 – paragraph 3

Text proposed by the Commission

Geographical indications of spirit drinks produced in 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 as geographical indications.

Amendment

Geographical indications of spirit drinks produced in 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 as geographical indications *only after the Commission has adopted an implementing act to that effect.*

Or. en

Amendment 82
Eleonora Forenza

Proposal for a regulation
Article 30 – paragraph 3

Text proposed by the Commission

Geographical indications of spirit drinks produced in 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 as geographical indications.

Amendment

Geographical indications of spirit drinks produced in 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 as geographical indications **by means of adoption of an implementing act authorizing such insertion**

Or. en

Amendment 83
Tiziana Beghin, Piernicola Pedicini, Marco Zullo

Proposal for a regulation
Article 30 – paragraph 3

Text proposed by the Commission

Geographical indications of spirit drinks produced in 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 as geographical indications.

Amendment

Geographical indications of spirit drinks produced in 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 as geographical indications **in a separate section.**

Or. it

Amendment 84
Santiago Fisas Ayxelà

Proposal for a regulation
Article 32 – paragraph 3

Text proposed by the Commission

Amendment

3. A name shall not be protected as a geographical indication if the ***production or preparation*** steps which are compulsory for the relevant category of spirit drink, do not take place in the relevant geographical area.

3. A name shall not be protected as a geographical indication if the steps which are compulsory for the relevant category of spirit drink do not take place in the relevant geographical area.

Or. es

Justification

The aim here is to avoid confusion because there is no distinction between production and preparation in the spirit drink sector.

Amendment 85

Frédérique Ries, Patricia Lalonde, Jean-Marie Cavada

Proposal for a regulation

Article 32 – paragraph 3

Text proposed by the Commission

3. A name shall not be protected as a geographical indication if the ***production or preparation*** steps which are compulsory for the relevant category of spirit drink, do not take place in the relevant geographical area.

Amendment

3. A name shall not be protected as a geographical indication if the steps which are compulsory for the relevant category of spirit drink, do not take place in the relevant geographical area.

Or. en

Justification

This amendment seeks to avoid confusion, as there is no distinction between production and preparation steps in the spirit drink sector.

Amendment 86

Frédérique Ries, Patricia Lalonde, Jean-Marie Cavada

Proposal for a regulation

Article 33 – paragraph 1

Text proposed by the Commission

1. The registration of a trademark ***which contains or consists of a geographical indication listed in the Register*** shall be refused or invalidated if

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Amendment

1. The registration of a trademark shall be refused or invalidated if its use would lead to any of the situations referred

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its use would lead to any of the situations referred to in Article 18(2). to in Article 18(2).

Or. en

Justification

This amendment seeks to include indirect means to suggest a geographical indication as ground to refuse or invalidate the registration of a trademark.

Amendment 87

David Martin

Proposal for a regulation

Article 33 – paragraph 1

Text proposed by the Commission

1. The registration of a trademark ***which contains or consists of a geographical indication listed in the Register*** shall be refused or invalidated if its use would lead to any of the situations referred to in Article 18(2).

Amendment

1. The registration of a trademark shall be refused or invalidated if its use would lead to any of the situations referred to in Article 18(2).

Or. en

Amendment 88

Frédérique Ries, Patricia Lalonde, Jean-Marie Cavada

Proposal for a regulation

Article 34 – title

Text proposed by the Commission

Implementing powers with respect to existing ***protected*** geographical indications

Amendment

Powers with respect to existing ***registered*** geographical indications

Or. en

Justification

Consistent with the deletion of paragraph 2 of Article 34.

Amendment 89

Frédérique Ries, Patricia Lalonde, Jean-Marie Cavada

**Proposal for a regulation
Article 34 – paragraph 1**

Text proposed by the Commission

1. ***Without prejudice to paragraph 2,*** geographical indications of spirit drinks protected under Regulation (EC) No 110/2008, shall automatically be protected as geographical indications under this Regulation. The Commission shall list them in the Register.

Amendment

1. Geographical indications of spirit drinks protected under Regulation (EC) No 110/2008, shall automatically be protected as geographical indications under this Regulation. The Commission shall list them in the Register.

Or. en

Justification

Consistent with the deletion of paragraph 2 of Article 34.

Amendment 90

Edouard Ferrand, Franz Obermayr, Matteo Salvini, Georg Mayer

**Proposal for a regulation
Article 34 – paragraph 2**

Text proposed by the Commission

2. ***For a period of up to two years following the entry into force of this Regulation, the Commission, by means of implementing acts, may, on its own initiative, cancel the protection of geographical indications referred to in Article 20 of Regulation (EU) No 110/2008 if they do not comply with point (6) of Article 2(1). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 44(2).***

Amendment

deleted

Or. it

Amendment 91

Edouard Ferrand, Franz Obermayr, Matteo Salvini, Georg Mayer

Proposal for a regulation
Article 34 – paragraph 2

Text proposed by the Commission

2. For a period of up to two years following the entry into force of this Regulation, the Commission, by means of implementing acts, may, on its own initiative, cancel the protection of geographical indications referred to in Article 20 of Regulation (EU) No 110/2008 if they do not comply with point (6) of Article 2(1). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 44(2).

Amendment

2. For a period of up to two years following the entry into force of this Regulation, the Commission, ***only at the indication of the Member State responsible and*** by means of implementing acts, may, on its own initiative, cancel the protection of geographical indications referred to in Article 20 of Regulation (EU) No 110/2008 if they do not comply with point (6) of Article 2(1). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 44(2).

Or. it

Amendment 92
Tiziana Beghin

Proposal for a regulation
Article 34 – paragraph 2

Text proposed by the Commission

2. ***For a period of up to two years following the entry into force of this Regulation, the Commission,*** by means of implementing acts, may, ***on its own initiative,*** cancel the protection of geographical indications referred to in Article 20 of Regulation (EU) No 110/2008 if they do not comply with point (6) of Article 2(1). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 44(2).

Amendment

2. ***The Commission, at the request of the Member State of registration,*** by means of implementing acts, may cancel the protection of geographical indications referred to in Article 20 of Regulation (EU) No 110/2008 if they do not comply with point (6) of Article 2(1). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 44(2).

Or. it

Amendment 93
Emma McClarkin

Proposal for a regulation
Article 38 – paragraph 1

Text proposed by the Commission

Amendment

1. In order to take account of the specificities of the production in the demarcated geographical area, the Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning: **deleted**

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

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

Or. en

Amendment 94
Tiziana Beghin, Piernicola Pedicini

Proposal for a regulation
Article 38 – paragraph 1

Text proposed by the Commission

Amendment

1. In order to take account of the specificities of the production in the demarcated geographical area, the Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning: **deleted**

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

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

Or. it

Amendment 95
Edouard Ferrand, Franz Obermayr, Matteo Salvini, Georg Mayer

Proposal for a regulation
Article 38 – paragraph 1 – introductory part

Text proposed by the Commission

1. In order to take account of the specificities of the production in the demarcated geographical area, the Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning:

Amendment

1. In order to take account of the specificities of the production in the demarcated geographical area, ***with reference to the protection of geographical indications and the possible illegal use thereof***, the Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning:

Or. it

Justification

The scope of the Commission's power to use delegated acts needs to be more clearly specified.

Amendment 96
Emma McClarkin

Proposal for a regulation
Article 38 – paragraph 1 – point a

Text proposed by the Commission

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

Amendment

deleted

Or. en

Amendment 97
Emma McClarkin

Proposal for a regulation
Article 38 – paragraph 1 – point b

Text proposed by the Commission

(b) ***the restrictions and derogations related to the production in the demarcated geographical area.***

Amendment

deleted

Amendment 98
Emma McClarkin

Proposal for a regulation
Article 38 – paragraph 2

Text proposed by the Commission

Amendment

2. *In order to ensure product quality and traceability, the Commission may, by means of delegated acts adopted in accordance with Article 43, provide for the conditions under which the product specification may include information concerning packaging as referred to in point (e) of Article 19 or any specific labelling rule as referred to in point (h) of Article 19.* **deleted**

Or. en

Amendment 99
Edouard Ferrand, Franz Obermayr, Matteo Salvini, Georg Mayer

Proposal for a regulation
Article 43 – paragraph 2

Text proposed by the Commission

Amendment

2. *The power to adopt delegated acts referred to in Articles 5, 16, 38, 41 and 46(2) shall be conferred on the Commission for an indeterminate period of time from the entry into force of this Regulation.* **deleted**

Or. it

Justification

The delegated and implementing powers laid down in these articles would enable the Commission to make substantial changes and add innovative elements to the existing framework. That would not be consistent with the objectives of mere legal alignment set out in the Explanatory Memorandum and the recitals of the regulation.

Amendment 100
Tiziana Beghin, Piernicola Pedicini

Proposal for a regulation
Article 43 – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Articles 5, 16, 38, 41 and 46(2) shall be conferred on the Commission for ***an indeterminate*** period of time from the entry into force of this Regulation.

Amendment

2. The power to adopt delegated acts referred to in Articles 5, 16, 38, 41 and 46(2) shall be conferred on the Commission for ***a five-year*** period of time from the entry into force of this Regulation.

Or. it

Amendment 101
Edouard Ferrand, Franz Obermayr, Matteo Salvini, Georg Mayer

Proposal for a regulation
Article 43 – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Articles 5, 16, 38, 41 and 46(2) shall be conferred on the Commission for ***an indeterminate*** period of time from the entry into force of this Regulation.

Amendment

2. The power to adopt delegated acts referred to in Articles 5, 16, 38, 41 and 46(2) shall be conferred on the Commission for ***a five-year*** period of time from the entry into force of this Regulation.

Or. it