

EN
E-003420/2021
P-003435/2021
Answer given by Mr Wojciechowski
on behalf of the European Commission
(13.9.2021)

The Commission is under the obligation to assess all filed applications for protection of traditional terms as regards their admissibility and validity under the applicable EU legislation.

As regards the application received from Croatia for the protection of the traditional term 'Prošek', the Commission has assessed the admissibility and validity requirements and will now proceed with its publication in the Official Journal of the European Union.

All interested parties will have two months from the date of publication to submit a substantiated objection. The Commission will then analyse any objections received and will take a final decision considering all elements at its disposal.

As far as whole or partial homonymy with an already protected geographical indication (GI)¹ might be raised in an objection, it should be noted that homonymy alone is not a sufficient factor for the rejection of an application. Two homonymous terms may co-exist under certain conditions, in particular with due regard to local and traditional usage and the risk of confusion for the consumer.

Wine GIs are protected to a high standard including against evocation and misuse. Enforcement is the responsibility of Member States in their territories. The Commission has a coordination role that includes administrative assistance for cross-border enforcement of alleged non-compliance and fraud. The Commission also works to protect EU GIs across the world in bilateral agreements.

All food product labelling must conform to the rules on the provision of food information to consumers². Amongst others, food information shall not be misleading for consumers.

¹ Protected Designations of Origin (PDO) and Protected Geographical Indications (PGI).

² Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004, OJ L 304, 22.11.2011, p. 18; <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02011R1169-20180101>