

WRITTEN QUESTION P-2270/09  
by Sebastiano Sanzarelli (PPE-DE)  
to the Commission

Subject: Registration of the balsamic vinegar 'aceto balsamico di Modena'

The Commission is currently considering an application to register the name 'aceto balsamico di Modena' as a protected geographical indication.

For more than 40 years, Italian law (Ministerial Decree of 3 December 1965) has permitted the use of the name 'aceto balsamico di Modena' to designate a particular type of balsamic vinegar that is produced using a specific production method but to which no geographical restrictions apply. 'Aceto balsamico di Modena' must therefore be deemed a sales name (trade name), not a designation of geographical origin.

In order to prevent 'aceto balsamico di Modena' from gaining commercial benefits and enhancing its reputation on the back of another product which has a similar name but has for centuries been produced only in the Modena area, 'aceto balsamico tradizionale di Modena' was made a protected designation of origin (Regulation (EC) No 813/2000<sup>1</sup>).

In connection with the application to register 'aceto balsamico di Modena', various Member States have submitted remarks concerning the generic nature of the name.

Given the above:

1. Can the Commission say whether under Regulation (EC) No 510/2006<sup>2</sup> a designation that has been lawfully used for more than 40 years to designate a foodstuff that may be produced anywhere in Italy can subsequently be registered as a protected geographical indication (PGI), thus placing geographical restrictions on its production?
2. Can the Commission confirm that a more balanced, consistent and proportional solution would be to register 'aceto balsamico di Modena' as a traditional speciality guaranteed (TSG)?
3. Is it aware of the fact that registering 'aceto balsamico di Modena' solely in order to avoid the risk of its being confused with the designation of geographical origin 'aceto balsamico tradizionale di Modena' would be totally unwarranted, given that the risk of this happening must be deemed non-existent owing to the substantial differences between the two products?
4. Does it realise that, on the contrary, registering 'aceto balsamico di Modena' as a PGI could give rise to a serious risk of confusion in connection with the use of the designation 'aceto balsamico' (balsamic vinegar)?
5. Has it taken account of the fact that such registration would result in a small group of producers being given a total monopoly on balsamic vinegar (whether from Modena or elsewhere) on the European market?

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<sup>1</sup> OJ L 100, 20.4.2000, p. 5.

<sup>2</sup> OJ L 93, 31.3.2006, p. 12.