

COMMISSION OF THE EUROPEAN COMMUNITIES

SEC(90) 2415 final

Brussels, 21 January 1991

Proposal for a

COUNCIL REGULATION (EEC)

on the protection of geographical indications and designations
of origin for agricultural products and foodstuffs

(presented by the Commission)

EXPLANATORY MEMORANDUM

INTRODUCTION

1. The purpose of this proposed regulation is to provide a framework for a system of protection of agricultural products and foodstuffs eligible to carry a geographical indication or designation of origin.

2. In its 1985 Green Paper (COM(85) 333) "Perspectives for the common agricultural policy", the Commission undertook to pay attention to "the demands of consumers in terms of quality of food, and to the changing requirements of the food industry which is responsible for processing a large part of the Community's agricultural production."

3. The Commission has confirmed this approach in a number of statements. In its 1988 communication on the future of rural society (COM(88) 501) and its communication on the free movement of foodstuffs within the Community (89/C 271/03), it stressed the growing demand by consumers for traditionally-produced foods and regional specialities. Now that their basic needs have been met, consumers have become more demanding and their awareness greater. Some consumers attach a very great importance to eating better, particularly in the sense of preferring quality to quantity. Labels currently tell consumers about the characteristics of products to assist them in their choices and protect them against counterfeit or imitation products. However, a further step must be taken to provide information about the specific nature of the product. Accordingly, the Commission has undertaken to present "proposals, without encroaching on existing rights, for the application at Community level of a coherent policy on labels, descriptions and origin designations."

4. In its 1990 programme, the Commission undertook to present proposals on "quality policy (designations of origin and protection of regional designations, introduction of quality labels)".

5. In May 1989 the European Parliament approved a report on the protection of Community-produced cheeses with a designated origin or those typical of a specified production area.

6. In recent years several Member States have insisted that, in addition to veterinary and health considerations, quality aspects should be given more importance in order to satisfy the expectations of consumers, who are increasingly concerned about the characteristics of foodstuffs in general.

7. This request has the backing of several trade organizations, representing producers, processors and distributors.

8. To achieve these objectives, the Commission proposes to introduce a framework at Community level which would place all Community nationals on an equal footing. However, the proposed provisions are sufficiently flexible to enable those Member States which already have legislation to retain it, with amendments where necessary. Those which do not have such legislation would be required to introduce it so that the Community scheme can come into force.

9. This draft Regulation is intended to fulfil the Commission's undertaking as regards geographical indications and designations of origin. It also broadly reflects the position which the Community has defended in the international negotiations on intellectual property in GATT.

10. In the Uruguay Round negotiating group on intellectual property, the Community proposed a definition of, and appropriate protection for, geographical indications, including designations of origin, which the Commission has taken into account.

11. The aim of this draft Regulation is similar to that of the work in progress in the GATT: to improve existing provisions so as to combat more effectively at international level imitations and the misuse of geographical indications and designations of origin.

12. Naturally, certain provisions of this Regulation may require revision in the light of the results of the Uruguay Round.

PROVISIONS

1. The proposal covers agricultural products and foodstuffs, whether or not they are agricultural products within the meaning of Annex II to the Treaty. It leaves open the question of similar arrangements for other products, where both the economic situation and traditional practice are different.

2. In view of the varying interpretations of the concepts of geographical indication and designation of origin, both within the Community and elsewhere, two categories have been identified. They are dealt with in Article 3.

- Protected geographical indications (PGI): these consist of the name of a region, a specific place or even a country which refers to a product originating in that area and possessing a quality or reputation which may be attributed to the geographical environment with its inherent natural and/or human components;

- protected designations of origin (PDO): these consist of the name of a region, a specific place or, in exceptional cases, a country which refers to a product originating in that area whose quality or other characteristics are essentially or exclusively due to a particular geographical environment.

3. Article 4 sets out the conditions under which a product is eligible to carry a geographical indication or designation of origin. The conditions are set out in a product specification. In all cases, there must be a link between the agricultural product or foodstuff and the geographical area whose name it bears. However, the nature of the link is more flexible in the case of the PGI (a quality or reputation may be attributed to the geographical environment) than in the case of the PDO (the quality or characteristics are essentially due to the geographical environment).

4. Articles 5 to 8 describe the rules of procedure to be followed for an agricultural product or foodstuff to be granted a geographical indication or designation of origin. A group or, in exceptional circumstances, a natural or legal person starts by sending an application to the Member State in which the geographical area which is the subject of the application is located. The Member State ensures that the application satisfies the requirements of this Regulation and sends it to the other Member States and to the Commission. The Commission considers the application and publishes it in the Official Journal of the European Communities.

- If no objections are made within three months, the Commission registers the geographical indication or designation of origin in the list it keeps.
- If objections are made within three months, the Commission considers the reasons given and decides whether or not to register the geographical indication or designation of origin.

Within the same period a Member State may request an extension of a geographical indication or designation of origin already registered in respect of its agricultural product or foodstuff.

5. Once the geographical indication or designation of origin has been registered, Article 9 authorizes the group which made the original application to propose a technical amendment to the specification and Article 11 enables any Member State to contend by means of an appeal procedure that the specification is longer complied with.

6. Article 10 defines the work of the inspection body referred to in the specification.

7. Under Article 12, a third country may, subject to a number of conditions, apply to register a geographical indication or designation of origin relating to its territory. The registration procedure is similar to that for the registration of a geographical indication or designation of origin in the case of a Member State.

8. Article 13 describes the conditions under which the Commission is authorized to negotiate agreements with third countries for the reciprocal protection of geographical indications and designations of origin.

9. Article 14 lays down a scheme of protection under which every Member State is required to protect registered geographical indications and designations of origin.

10. Article 15 lays down financial provisions to encourage geographical indications or designations of origin. The aim is not to provide direct support for products which are marketed at higher prices but to increase the number of outlets through general campaigns to publicize the existence of geographical indications or designations of origin and the guarantees which they offer. Since inspections will entail investments and costs for the bodies responsible, provision should be made for assistance to launch those bodies.

11. Article 16 sets down the means for applying Articles 3 to 8 and Article 17 establishes a consultative committee which must assist the Commission in taking decisions.

12. Under Article 18, the Member States may retain geographical indications or designations of origin for agricultural products and foodstuffs recognized in their territory before this Regulation comes into force until they are published in accordance with Article 6.

13. Article 19 contains special provisions to cover geographical indications and designations of origin which have become generic descriptions through usage.

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of origin for agricultural products and foodstuffs

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,
and in particular Articles 43 and 113 thereof,

Having regard to the proposal from the Commission,¹

Having regard to the opinion of the European Parliament,²

Having regard to the opinion of the Economic and Social Committee,³

Whereas the production, manufacture and distribution of agricultural
products and foodstuffs play an important role in the Community economy;

Whereas, as part of the adjustment of the common agricultural policy the
diversification of agricultural production should be encouraged so as to
achieve a better balance between supply and demand on the markets; whereas
the promotion of products having certain characteristics could be of
considerable benefit to the rural economy, in particular to less-favoured
or remote areas, by improving the incomes of farmers and by retaining the
rural population in these areas;

Whereas, moreover, it has been observed in recent years that consumers are
tending to attach greater importance to the quality of foodstuffs rather
than to quantity; whereas this quest for specific products generates a
growing demand for agricultural products or foodstuffs with an identifiable
geographical origin;

1 OJ No

2 OJ No

3 OJ No

Whereas in view of the wide variety of products marketed and of the abundance of information concerning them provided, consumers must, in order to be able to make the best choice, be given clear and succinct information regarding the origin of the product;

Whereas the labelling of agricultural products and foodstuffs is subject to the general rules laid down in Council Directive 79/112/EEC of 18 December 1978 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs,¹ as last amended by Directive 89/395/EEC;² whereas, in view of their specific nature, additional special provisions should be adopted for agricultural products and foodstuffs from a particular geographical area;

Whereas the desire to protect agricultural products or foodstuffs which have an identifiable geographical origin has led certain Member States to introduce "registered designations of origin"; whereas these have proved successful with producers, who have secured higher incomes in return for a genuine effort to improve quality, and with consumers, who can purchase high quality products with guarantees as to the method of production and origin;

Whereas, however, there is diversity in the national practices for implementing registered designations of origin; whereas a Community approach should be adopted; whereas a framework of Community rules on protection will permit the development of geographical indications and designations of origin since, by providing a more uniform approach, such a framework will ensure fair competition between the producers of products bearing such indications and enhance the credibility of the products in the consumers' eyes;

Whereas the planned rules should take account of existing Community legislation on wines and spirit drinks, which provide for a higher level of protection;

1 OJ No L 33, 8.2.1979, p. 1.

2 OJ No L 186, 30.6.1989, p. 17.

Whereas the scope of this Regulation is limited to agricultural products and foodstuffs for which a link between product characteristics and geographical origin exists; whereas, however, the Commission may enlarge its scope to other products;

Whereas existing practices make it appropriate to define two different types of geographical description, namely protected geographical indications and protected designations of origin;

Whereas an agricultural product or foodstuff bearing such an indication must meet certain conditions set out in a specification;

Whereas to enjoy protection in every Member State geographical indications and designations of origin must be registered at Community level; whereas entry in a register should also provide information to those involved in trade and to consumers;

Whereas the registration procedure should enable any person individually and directly concerned in a Member State to exercise his rights by notifying the Commission of his opposition;

Whereas in order not to create unfair conditions of competition any Member State sharing a geographical name with another Member State should be able to use a registered geographical indication or designation of origin;

Whereas there should be procedures to permit amendment of the specification, after registration, in the light of technological progress or withdrawal from the register of the geographical indication or designation of origin of an agricultural product or foodstuff if that product or foodstuff ceases to conform to the specification on the basis of which the geographical indication or designation of origin was granted;

Whereas there should be provision for negotiations to be opened with third countries on equivalent guarantees for the issue and inspection of geographical indications or designations of origin granted on their territory;

Whereas in order to avoid the proliferation of schemes and confusion to consumers the Community scheme should be exhaustive and exclusive; whereas therefore the geographical indications or designations of origin issued at national level before entry into force of this Regulation should be published for registration at Community level without prejudice to existing provisions in this field;

Whereas in order to encourage the marketing of agricultural products and foodstuffs bearing a geographical indication or designation of origin wide-ranging information should be made available to those involved in the industry and consumers; whereas the Community should therefore contribute towards the financing of various information and promotional programmes;

Whereas in order to assist producers or processors to make use of the geographical indication or designation of origin, the Community financial contribution should also cover the costs of launching the activities of groups involved in the production and processing of agricultural products and foodstuffs eligible for a geographical indication or designation of origin;

Whereas this Regulation should provide for close cooperation between the Member States and the Commission through an advisory committee set up for that purpose,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation lays down rules on the protection of geographical indications and designations of origin of agricultural products, whether or not processed, and of foodstuffs.

2. This Regulation shall apply without prejudice to other Community provisions concerning:

- rules on the labelling and presentation of products and in particular Directive 79/112/EEC;
- health rules;
- quality standards;
- inspection rules.

3. Council Directive 83/189/EEC of 28 March 1983 laying down a procedure for the provision of information in the field of technical standards and regulations¹ shall not apply to the geographical indications or designations of origin covered by this Regulation.

Article 2

Utilization of a geographical name in the designation of a product shall take one of the following two forms:

- protected geographical indication;
- protected designation of origin.

Article 3

For the purposes of this Regulation:

1. Protected geographical indication means the name of a region, specific place or, in exceptional cases, a country followed by the letters PGI describing an agricultural product or foodstuff originating in that region, specific place or country and possessing a quality or reputation which may be attributed to the geographical environment with its inherent natural and/or human components.

1 OJ No L 109, 26.4.1983, p. 8.

However, by way of exception and in accordance with the procedure laid down in Article 17, certain traditional descriptions may, provided they are not generic, be regarded as protected geographical indications and fall under the provisions of this Regulation.

2. Protected designation of origin

The name of a region, a specific place or, in exceptional cases, a country, followed by the letters PDO, which refer to an agricultural product or foodstuff originating in that region, specific place or, in exceptional cases, country, and whose quality or other characteristics are essentially or exclusively due to a particular geographical environment with its inherent natural and human components and whose production, processing and preparation take place in the geographical area.

In accordance with the procedure laid down in Article 17, it may be decided that certain products may be produced or prepared in an area immediately adjacent to the geographical area.

3. Geographical area means the defined area within which a product carrying a geographical indication or designation of origin has been produced and/or processed.

4. Group means any association irrespective of its legal form, of producers and/or manufacturers working with the same agricultural product or foodstuff.

Article 4

1. A product whose description includes a geographical name must have been produced or processed in the corresponding geographical area and comply with a specification. However, without prejudice to specific Community provisions and in accordance with the procedure laid down in Article 17, it may be decided for protected geographical indications that:

- the raw material must also come from the geographical area;
- processing may also take place in an area immediately adjacent to the geographical area.

2. The product specification shall include:

(a) for a protected geographical indication:

1. the name of the product, including the geographical indication;
2. the description of the product including its principal physical, chemical, microbiological and/or organoleptic characteristics;
3. the definition of the geographical area of production and/or processing to be protected;
4. the methods of preparation of the product including authentic and unvarying local methods of production or processing;
5. the factors relating to the geographic environment on which the reputation or the quality of the product is founded;
6. details of the inspection body or bodies provided for in Article 10;
7. details of labelling;
8. any requirements laid down by Community and/or national provisions.

(b) for a protected designation of origin:

1. the name of the product, including the designation of origin;
2. the description of the product including its principal physical, chemical, microbiological and/or organoleptic characteristics;
3. the definition of the geographical area of production and processing to be protected;
4. the methods of preparation of the product including authentic and unvarying local methods of production or processing;
5. the factors demonstrating that the nature or characteristics of the product are essentially or exclusively of the geographical environment with its inherent natural and human components;
6. the factors ensuring that the production, processing and preparation of the product take place in the geographical area;
7. details of the inspection body or bodies provided for in Article 10;
8. details of labelling;
9. any requirements laid down by Community and/or national provisions.

3. The content of the product specification may be clarified in accordance with the procedure laid down in Article 17.

Article 5

1. Only a group or, in exceptional circumstances and subject to certain conditions to be laid down in accordance with the procedure provided for in Article 17, a natural or legal person may make an application for registration of a geographical indication or designation of origin.

2. A group or, in exceptional circumstances, a natural or legal person may apply for registration only in respect of the foodstuffs which it produces and/or processes.

3. The application shall include the product specification referred to in Article 4.

4. The application shall be sent to the Member State in which the geographical area to which it relates is located.

5. The Member State shall check that the application satisfies the requirements of Article 4.

6. The Member State shall forward the application to the other Member States and to the Commission if it considers that the requirements of Article 4 are satisfied. Otherwise, it shall notify the party concerned of the rejection of the application and inform it of how and by when an appeal may be made under existing legislation.

Article 6

1. The Commission shall verify that the application includes all the information referred to in Article 4 and shall then publish the main points of it, including the name of the product containing the geographical indication or designation of origin and details of the group making the application, in the Official Journal of the European Communities.
2. Any person with a legitimate interest may consult the application in the Member State.
3. If no objections are notified to the Commission in accordance with Article 8, the geographical indication or designation of origin shall be entered in the register kept by the Commission entitled "Register of Protected Geographical Indications and Protected Designations of Origin", which contains the names of the groups and the inspection bodies concerned.
4. The Commission shall publish in the Official Journal of the European Communities:
 - the new geographical indications and designations of origin entered in the register;
 - amendments to the register made in accordance with Articles 9, 11 and 13;
 - geographical indications and designations of origin issued in the territory of a Member State in accordance with Article 18.

Article 7

In accordance with the procedure laid down in Article 5, a Member State may, at the request of a group established on its territory, apply for that group to be entitled to use a previously registered geographical indication or designation of origin where its territory includes a geographical area bearing the same name as an area in another Member State.

In such a case, the application for registration shall include:

- either: an undertaking by the applicant group to observe the product specification of the original group;
- or: an agreement between the two groups on a new joint product specification;
- or: a product specification drawn up with a view to benefiting from a particular geographical indication or designation of origin.

Article 8

1. Within three months from the date of publication in the Official Journal of the European Communities referred to in Article 6(1), any Member State may object to the registration of the geographical indication or designation of origin by sending a duly-substantiated statement to the Commission.

2. Any natural or legal person individually and directly concerned may make comments or notify objection to registration to the Member State in which he is established, which shall adopt the measures required to take account of these comments or this objection within the time allowed.

3. The Commission shall examine the reasons given. A decision whether to register the geographical indication or designation of origin shall be taken in accordance with Article 17.

Article 9

A specification may be amended, in particular:

- at the request of the group making the original application or, exceptionally, at the request of a natural or legal person, to take account of developments in scientific and technical knowledge;
- to redefine the geographical area.

Article 10

1. The inspection body responsible for the group referred to in Article 4 (2) shall ensure that the agricultural product or foodstuff bearing a geographical indication or designation of origin meets the criteria laid down in the product specification referred to in Article 4.
2. The inspection body shall withdraw the right of a producer or processor to display the registered geographical indication or designation of origin on the products or foodstuffs which he produces if these criteria are no longer met. The inspection body shall notify the party concerned of the withdrawal and shall inform it of how an appeal may be made under existing legislation and the time limit within which such an appeal must be made.
3. In order to carry out the inspection referred to in paragraph 1, the inspection body must be approved. Approval shall be granted by the competent authority of the Member State in which the inspection body is established. The competent authority may be a public authority or a body approved by a public authority.
4. To be granted approval, the inspection body must offer adequate guarantees of objectivity and impartiality with regard to all producers or processors subject to its control and have permanently at its disposal the qualified staff and resources necessary to carry out inspections of the agricultural products and foodstuffs covered by a geographical indication or designation of origin.
5. The inspection body shall report to the competent authority on the measures taken in carrying out its inspections.
6. The competent authority may withdraw approval from the inspection body if the criteria laid down in paragraph 4 are no longer met. It shall inform the Commission, which shall amend the contents of the register referred to in Article 6.

Article 11

Any Member State may submit that a criterion laid down in the product specification of an agricultural product or foodstuff covered by a geographical indication or designation of origin is no longer met.

In such a case, a duly substantiated claim must be sent to the Commission. A decision shall be taken, in accordance with the procedure laid down in Article 17, whether to suspend or withdraw a geographical indication or designation of origin already recorded and registered.

Article 12

1. Without prejudice to international agreements, this Regulation may apply to an agricultural product or foodstuff from a third country provided that:
 - the system in the third country for providing protection offers guarantees equivalent to those referred to in Article 4;
 - the third country has inspection arrangements equivalent to those laid down in Article 10;
 - the third country is prepared to provide protection equivalent to that available in the Community to the corresponding agricultural products or foodstuffs coming from the Community.
2. For the purpose of implementing paragraph 1, the third country shall make application to the Commission and Articles 5, 6 and 8 shall apply mutatis mutandis to the registration procedure.
3. Acting at the duly-substantiated request of a Member State or on its own initiative, the Commission shall decide, in accordance with the procedure laid down in Article 17, whether to suspend or withdraw a geographical indication or designation of origin registered in respect of goods imported from a third country where the conditions laid down in paragraph 1 are no longer met.
4. If the geographical indication or designation of origin of a third country is identical to a Community geographical indication or designation of origin, registration shall be granted with regard to fair and traditional usage and the practical risks of confusion.

Use of such indications shall be authorized only if the country of origin of the product is clearly and visibly stated on the label.

Article 13

The Commission shall have authority to initiate negotiations with a view to concluding agreements with third countries guaranteeing reciprocal protection for geographical indications or designations of origin.

Article 14

1. Registered geographical indications or designations of origin shall be protected against any practice which constitutes an act of unfair competition, including practices liable to mislead the public as to the true origin of the product. Such practices shall include:

- any direct or indirect commercial use of products not originating in the place indicated or evoked by the geographical indication or designation of origin in question;
- any misuse, imitation or evocation, even if the true origin of the product is indicated or if the designation or description is translated or accompanied by an expression such as "style", "type", "imitation", "as produced in" or similar;
- the use in the description or presentation of the product of any device liable to suggest a link between the product and a geographical region other than the true place of origin;
- 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 papers relating to the product concerned, and the packing of the product in a container liable to convey the wrong impression as to its origin;
- any use of marks identical or similar to geographical indications or designations of origin likely to create confusion or lead the consumer into error in respect of the origin of the product.

2. Geographical indications or designations of origin may not become generic names.

Article 15

1. The Commission shall adopt measures involving financial support in accordance with the procedures laid down in Article 17, to:

- provide information for consumers;
- promote agricultural products and foodstuffs displaying a geographical indication or designation of origin, or
- help groups to launch activities arising from implementation of this Regulation.

The Commission shall report to the European Parliament and the Council annually on the measures that have been adopted.

2. The measures provided for in this Article shall constitute intervention intended to stabilize the agricultural markets within the meaning of Article 1(2) of Council Regulation (EEC) No 729/70¹.

Article 16

Detailed rules for applying Article 3(1) and (2), Article 4 (1) and (3), Article 5, Article 6(3), Article 7 and Article 8(3) shall be adopted in accordance with the procedure laid down in Article 17.

¹ OJ No L 94, 28.4.1970, p. 13.

Article 17

The Commission shall be assisted by a Committee of an advisory nature composed of the representatives of the Member States and chaired by the representative of the Commission.

The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft, within a time limit which the chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the committee. It shall inform the committee of the manner in which its opinion has been taken into account.

Article 18

1. Each Member State shall send the Commission within three months from the date this Regulation enters into force details of the authority responsible for approving inspection bodies in accordance with Article 10.

The list of inspection bodies shall be published in the Official Journal of the European Communities.

2. The Member States may maintain geographical indications or designations of origin for agricultural products and foodstuffs issued in their territory before the entry into force of this Regulation until they have been published in accordance with the third indent of Article 6(4).

However, geographical indications which have already been published by the Community shall be registered without being subject to the procedure laid down in Articles 5, 6 and 8.

3. For the purposes of paragraph 2, the Member States shall send within two years applications for registration of geographical indications or designations of origin existing in their territory in accordance with Article 5 and Article 6 (1) and (2).

Article 19

Notwithstanding Article 14(2), specific provisions may be adopted in accordance with the procedure laid down in Article 17 for cheeses or other products in respect of geographical indications or designations of origin considered to be generic names because of their use for products whose links with their region of origin have long been lost.

Article 20

This Regulation shall enter into force on 1 January 1992.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council
The President

1. LIGNE BUDGETAIRE : 381 (APB 1991)		CREDITS : 23 Mio ECU		
2. INTITULE DE LA MESURE : Proposition de règlement du Conseil concernant la protection des indications géographiques des produits agricoles et des denrées alimentaires				
3. BASE JURIDIQUE : Art. 43 du Traité				
4. OBJECTIFS DE LA MESURE : Promotion de produits alimentaires provenant d'une zone géographique déterminée en vue d'améliorer le revenu des agriculteurs des zones défavorisées et valorisation de ces produits auprès des consommateurs.				
5. INCIDENCES FINANCIERES	PERIODE DE 12 MOIS Mio ECU	EXERCICE EN COURS (90) Mio ECU	EXERCICE SUIVANT (91) Mio ECU	
5.0 DEPENSES A LA CHARGE - DU BUDGET DES CE (RESTITUTIONS/INTERVENTIONS) - DES BUDGETS NATIONAUX - D'AUTRES SECTEURS	(1)	-	(1)	
5.1 RECETTES - RESSOURCES PROPRES DES CE (PRELEVEMENTS/DROITS DE DOUANE) - SUR LE PLAN NATIONAL				
	1992	1993	1994	1995
5.0.1 PREVISIONS DES DEPENSES				
5.1.1 PREVISIONS DES RECETTES				
5.2 MODE DE CALCUL :				
6.0 FINANCEMENT POSSIBLE PAR CREDITS INSCRITS AU CHAPITRE CONCERNE DU BUDGET EN COURS D'EXECUTION				OUI
6.1 FINANCEMENT POSSIBLE PAR VIREMENT ENTRE CHAPITRES DU BUDGET EN COURS D'EXECUTION				OUI
6.2 NECESSITE D'UN BUDGET SUPPLEMENTAIRE				NON
6.3 CREDITS A INSCRIRE DANS LES BUDGETS FUTURS				OUI
OBSERVATIONS :				
(1) Les dépenses interviendront suite à l'adoption par la Commission de mesures en application du règlement cadre visé en objet.				

FICHE D'IMPACT SUR LA COMPETITIVITE ET L'EMPLOI

(doc. 6233/VI/88 rév.2 28.11.1990)

I. Quelle est la justification principale de la mesure ?

Le règlement permet aux groupements de producteurs et/ou de transformateurs de promouvoir leurs produits agricoles et leurs denrées alimentaires présentant des caractéristiques spécifiques dues à leur origine géographique.

II. Caractéristiques des entreprises concernées

En particulier : les entreprises qui peuvent être considérées comme producteur et/ou transformateur.

- **Y a-t-il un grand nombre de PME ?** Oui
- **Note t-on des concentrations dans des régions :**
 - **éligibles aux aides régionales des E.M. ?**
 - **éligibles au Feder ?**

III. Quelles sont les obligations imposées directement aux entreprises ?

Il n'y a pas d'obligations. Il s'agit d'un système volontaire, mais à partir du moment où les entreprises optent pour ce système, ces dernières doivent se conformer au règlement.

IV. Quelles sont les obligations susceptibles d'être imposées indirectement aux entreprises ?

Il peut exister indirectement une obligation d'agir par la procédure d'opposition.

V. Y a-t-il des mesures spéciales pour les PME ? Non

- **Lesquelles ?**

VI. Quel est l'effet prévisible ? Positif pour les entreprises choisissant ce système.

- **sur la compétitivité des entreprises ?**
Permettre aux entreprises de mieux vendre leurs produits.
- **sur l'emploi ?**
Permettre le maintien de structures de production dans les zones rurales en voie de désertification.

VII. Les partenaires sociaux ont-ils été consultés ? Non

avis des partenaires sociaux