

Commission Delegated Regulation (EU) No 664/2014 of 18 December 2013 supplementing Regulation (EU) No 1151/2012 of the European Parliament and of the Council with regard to the establishment of the Union symbols for protected designations of origin, protected geographical indications and traditional specialities guaranteed and with regard to certain rules on sourcing, certain procedural rules and certain additional transitional rules

Article 1

Specific rules on sourcing of feed and of raw materials

1 For the purposes of Article 5 of Regulation (EU) No 1151/2012, feed shall be sourced entirely from within the defined geographical area in respect of products of animal origin the name of which is registered as a protected designation of origin.

Insofar as sourcing entirely from within the defined geographical area is not technically practicable, feed sourced from outside that area can be added, provided that the product quality or characteristic essentially due to the geographical environment are not affected. Feed sourced from outside the defined geographical area shall in no case exceed 50 % of dry matter on annual basis.

2 Any restrictions to the origin of raw materials provided in the product specification of a product the name of which is registered as a protected geographical indication shall be justified in relation to the link referred to in point (f)(ii) of Article 7(1) of Regulation (EU) No 1151/2012.

Article 2

Union symbols

The Union symbols referred to in Articles 12(2) and 23(2) of Regulation (EU) No 1151/2012 are established as laid down in the Annex to this Regulation.

Article 3

Limitation of product specifications for traditional specialities guaranteed

The product specification referred to in Article 19 of Regulation (EU) No 1151/2012 shall be concise and shall not exceed 5 000 words, except in duly justified cases.

Article 4

National opposition procedures for joint applications

In case of joint applications as referred to in Article 49(1) of Regulation (EU) No 1151/2012, the related national opposition procedures shall be carried out in all the Member States concerned.

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Changes to legislation: There are outstanding changes not yet made to Commission Delegated Regulation (EU) No 664/2014. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

Article 5

Notification obligation concerning agreement in opposition procedure

When the interested parties reach an agreement following the consultations referred to in Article 51(3) of Regulation (EU) No 1151/2012, the authorities of the Member State or of the third country from which the application was lodged shall notify the Commission of all the factors which enabled that agreement to be reached, including the opinions of the applicant and of the authorities of a Member State or of a third country or other natural and legal persons having lodged an opposition.

Article 6

Amendments to a product specification

1 The application for an amendment to a product specification as referred to in Article 53(1) of Regulation (EU) No 1151/2012 which is not minor shall contain an exhaustive description and the specific reasons for each amendment. The description shall compare in detail, for each amendment, the original product specification and, where relevant, the original single document with the amended version proposed.

That application shall be self-sufficient. It shall contain all amendments to the product specification and, where relevant, to the single document for which approval is sought.

An application for an amendment which is not minor that does not comply with the first and the second subparagraphs shall not be admissible. The Commission shall inform the applicant if the application is deemed inadmissible.

The approval by the Commission of an application for an amendment to a product specification which is not minor shall only cover the amendments as included in the application itself.

2 Applications for a minor amendment to a product specification concerning protected designations of origin or protected geographical indications shall be submitted to the authorities of the Member State the geographical area of the designation or indication relates to. Applications for a minor amendment of a product specification concerning traditional specialities guaranteed shall be submitted to the authorities of the Member State in which the group is established. If the application for a minor amendment of a product specification does not come from the group which had submitted the application for registration of the name or names the product specification refers to, the Member State shall give that group the opportunity to make comments on the application if that group still exists. If the Member State considers that the requirements of Regulation (EU) No 1151/2012 and of the provisions adopted pursuant thereto are met, it may lodge a minor amendment application dossier with the Commission. Applications for a minor amendment to a product specification concerning products originating in third countries may be submitted by a group having a legitimate interest either directly to the Commission or via the authorities of that third country.

The application for a minor amendment shall only propose minor amendments in the meaning of Article 53(2) of Regulation (EU) No 1151/2012. It shall describe those minor amendments, provide a summary of the reason an amendment is required and show that the proposed amendments qualify as minor in accordance with Article 53(2) of Regulation (EU) No 1151/2012. It shall compare, for each amendment, the

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original product specification and, where relevant, the original single document with the amended version proposed. The application shall be self-sufficient and shall contain all amendments to the product specification and, where relevant, to the single document for which approval is sought.

Minor amendments referred to in the second subparagraph of Article 53(2) of Regulation (EU) No 1151/2012 shall be deemed approved if the Commission does not inform the applicant otherwise within three months from the reception of the application.

An application for a minor amendment that does not comply with the second subparagraph of this paragraph shall not be admissible. Tacit approval referred to in the third subparagraph of this paragraph shall not apply to such applications. The Commission shall inform the applicant if the application is deemed inadmissible within three months from the reception of the application.

The Commission shall make public the approved minor amendment to a product specification not implying a modification of the elements referred to in Article 50(2) of Regulation (EU) No 1151/2012.

3 The procedure laid down in Articles 49 to 52 of Regulation (EU) No 1151/2012 shall not apply to amendments concerning a temporary change in the product specification resulting from the imposition of obligatory sanitary and phytosanitary measures by the public authorities or linked to natural disasters or adverse weather conditions formally recognised by the competent authorities.

Those amendments shall be communicated to the Commission together with the reasons for them not later than two weeks following approval. Temporary amendments to a product specification concerning protected designations of origin or protected geographical indications shall be communicated to the Commission by the authorities of the Member State the geographical area of the designation or indication relates to. Temporary amendments to a product specification concerning traditional specialities guaranteed shall be communicated to the Commission by the authorities of the Member State in which the group is established. Temporary amendments concerning products originating in third countries shall be communicated to the Commission either by a group having a legitimate interest or by the authorities of that third country. Member States shall publish temporary amendments to the product specification. In communications concerning a temporary amendment to a product specification relating to a protected designation of origin or a protected geographical indication, Member States shall only enclose the reference to the publication. In communications concerning a temporary amendment to a product specification relating to a traditional speciality guaranteed, they shall enclose the temporary amendment to the product specification as published. In communications concerning products originating in third countries the approved temporary amendments to the product specification shall be sent to the Commission.. Evidence of the sanitary and phytosanitary measures and a copy of the act recognising natural disasters or adverse weather conditions shall be provided in all communications for temporary amendments from Member States and third countries. The Commission shall make public such amendments.

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Article 7

Cancellation

1 The procedure laid down in Articles 49 to 52 of Regulation (EU) No 1151/2012 shall apply *mutatis mutandis* to the cancellation of a registration as referred to in the first and second subparagraphs of Article 54(1) of that Regulation.

2 Member States shall be allowed to submit a request for cancellation on their own initiative pursuant to the first subparagraph of Article 54(1) of Regulation (EU) No 1151/2012.

3 The request for cancellation shall be made public pursuant to the second paragraph of Article 50(1) of Regulation (EU) No 1151/2012.

4 Reasoned statements of opposition as regards cancellation shall be admissible only if they show continued commercial reliance by an interested person on the registered name.

Article 8

Transitional rules

1 In respect of protected designations of origin and protected geographical indications registered prior to 31 March 2006, the Commission shall, at the request of a Member State, publish a single document submitted by that Member State in the *Official Journal of the European Union*. That publication shall be accompanied by the reference of publication of the product specification.

2 Until 3 January 2016 the following rules shall apply:

- a for products originating in the Union, where the registered name is used on the labelling, it shall be accompanied either by the relevant Union symbol or by the relevant indication referred to in Article 12(3) or Article 23(3) of Regulation (EU) No 1151/2012;
- b for products which are produced outside the Union, the indication referred to in Article 23(3) of Regulation (EU) No 1151/2012 shall be optional on the labelling of traditional specialities guaranteed.

Article 9

Repeal

Regulations (EC) No 1898/2006 and (EC) No 1216/2007 are repealed.

Article 10

Entry into force and application

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

Article 5 shall only apply to opposition procedures for which the three-month period established in the first subparagraph of Article 51(1) of Regulation (EU) No 1151/2012 has not expired on the date of entry into force of this Regulation.

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

Done at Brussels, 18 December 2013.

For the Commission

The President

José Manuel BARROSO

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