

Commission Delegated Regulation (EU) 2019/33 of 17 October 2018 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, restrictions of use, amendments to product specifications, cancellation of protection, and labelling and presentation

CHAPTER II **U.K.**

PROTECTED DESIGNATIONS OF ORIGIN AND GEOGRAPHICAL INDICATIONS

SECTION 4 **U.K.**

Cancelling a protected designation of origin or geographical indication

Article 19 **U.K.**

Cancellation procedure

Requests to cancel a protected designation of origin or geographical indication, as referred to in Article 106 of Regulation (EU) No 1308/2013, shall follow the procedure laid down in Article 94 and Articles [F197] to 99 of that Regulation together with provisions of Sections 1, 2 and 4 of Chapter II of this Regulation and of Sections 1, 2, 4 and 5 of Chapter II of Implementing Regulation (EU) 2019/34 *mutatis mutandis*.

The [F2Secretary of State] shall publish the cancellation request referred to in Article 13 of Implementing Regulation (EU) 2019/34 in [F3such manner as appears appropriate to the Secretary of State from time to time].

Textual Amendments

- F1** Word in Art. 19 substituted (31.12.2020) by [The Agricultural Products, Food and Drink \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1637\)](#), regs. 1(7), **26(16)(a)**
- F2** Words in Art. 19 substituted (31.12.2020) by [The Agricultural Products, Food and Drink \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1637\)](#), regs. 1(7), **26(16)(b)(i)**
- F3** Words in Art. 19 substituted (31.12.2020) by [The Agricultural Products, Food and Drink \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1637\)](#), regs. 1(7), **26(16)(b)(ii)**

Article 20 **U.K.**

Grounds for cancellation

For the purposes of Article 106 of Regulation (EU) No 1308/2013 compliance with the product specification shall also be deemed not to be ensured where no product bearing the protected name has been placed on the market for at least seven consecutive years.

Changes to legislation: There are outstanding changes not yet made to Commission Delegated Regulation (EU) 2019/33. 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) View outstanding changes

Article 21 **U.K.**

Admissibility of cancellation requests

1 For the purpose of Articles 106 of Regulation (EU) No 1308/2013 a substantiated cancellation request shall be admissible where:

- a the cancellation request complies with the requirements set out in Article 13(1) of Implementing Regulation (EU) 2019/34; and
- b the cancellation request is based on the grounds referred to in Article 106 of Regulation (EU) No 1308/2013.

2 Where the [^{F4}Secretary of State] considers that the cancellation request is not admissible [^{F5}the Secretary of State] shall inform the ^{F6}... third country authority or the natural or legal person that submitted the request of the reasons supporting the finding of inadmissibility.

3 Substantiated statements of objection to cancellation shall be admissible only where they show commercial reliance by an interested person on the registered name.

Textual Amendments

- F4** Words in Art. 21(2) substituted (31.12.2020) by [The Agricultural Products, Food and Drink \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1637\)](#), regs. 1(7), **26(17)(a)**
- F5** Words in Art. 21(2) substituted (31.12.2020) by [The Agricultural Products, Food and Drink \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1637\)](#), regs. 1(7), **26(17)(b)**
- F6** Words in Art. 21(2) omitted (31.12.2020) by virtue of [The Agricultural Products, Food and Drink \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1637\)](#), regs. 1(7), **26(17)(c)**

Changes to legislation:

There are outstanding changes not yet made to Commission Delegated Regulation (EU) 2019/33. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Ch. 3 s. 6 inserted by [S.I. 2019/1342 Sch. 3 Pt. 1](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- Signature words omitted by [S.I. 2019/759 reg. 7\(30\)](#) (This amendment not applied to legislation.gov.uk. Regs. 6-8 omitted immediately before IP completion day by virtue of S.I. 2020/1637, regs. 1(6), 4)
- Art. 1a inserted by [S.I. 2019/759 reg. 7\(2\)](#) (This amendment not applied to legislation.gov.uk. Regs. 6-8 omitted immediately before IP completion day by virtue of S.I. 2020/1637, regs. 1(6), 4)
- Art. 1a words inserted by [S.I. 2019/1342 reg. 13\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- Art. 1a words inserted by [S.I. 2019/1366 reg. 6\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/1366 was made under a procedure whereby it ceases to have effect at the end of the period of 28 days beginning with the day on which it was made unless, during that period, the instrument was approved by a resolution of each House of Parliament. It was not approved by Parliament within that period and so has ceased to have effect.)
- Art. 1a words inserted by [S.I. 2019/1366 reg. 6\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/1366 was made under a procedure whereby it ceases to have effect at the end of the period of 28 days beginning with the day on which it was made unless, during that period, the instrument was approved by a resolution of each House of Parliament. It was not approved by Parliament within that period and so has ceased to have effect.)
- Art. 1a words inserted by [S.I. 2019/1366 reg. 6\(2\)\(c\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/1366 was made under a procedure whereby it ceases to have effect at the end of the period of 28 days beginning with the day on which it was made unless, during that period, the instrument was approved by a resolution of each House of Parliament. It was not approved by Parliament within that period and so has ceased to have effect.)
- Art. 1a words inserted by [S.I. 2019/1366 reg. 6\(2\)\(d\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/1366 was made under a procedure whereby it ceases to have effect at the end of the period of 28 days beginning with the day on which it was made unless, during that period, the instrument was approved by a resolution of each House of Parliament. It was not approved by Parliament within that period and so has ceased to have effect.)
- Art. 1a words substituted by [S.I. 2019/1342 reg. 13\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- Art. 1a words substituted in earlier amending provision S.I. 2019/759, reg. 7(a) by [S.I. 2019/1342 reg. 4\(5\)\(a\)](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated

- and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- Art. 1a words substituted in earlier amending provision S.I. 2019/759, reg. 7(a) by [S.I. 2019/1342 reg. 4\(5\)\(b\)](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
 - Art. 1b inserted by [S.I. 2019/1366 Sch. 4 Pt. 1](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/1366 was made under a procedure whereby it ceases to have effect at the end of the period of 28 days beginning with the day on which it was made unless, during that period, the instrument was approved by a resolution of each House of Parliament. It was not approved by Parliament within that period and so has ceased to have effect.)
 - Art. 5(1)(c) word omitted by [S.I. 2019/759 reg. 7\(4\)](#) (This amendment not applied to legislation.gov.uk. Regs. 6-8 omitted immediately before IP completion day by virtue of S.I. 2020/1637, regs. 1(6), 4)
 - Annex 8 inserted by [S.I. 2019/1342 Sch. 3 Pt. 2](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
 - Art. 11(1)(a) words substituted by [S.I. 2019/1342 reg. 13\(4\)\(a\)\(i\)\(aa\)](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
 - Art. 11(1)(c)(i) words substituted by [S.I. 2019/1342 reg. 13\(4\)\(a\)\(i\)\(bb\)](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
 - Art. 13(1)(b) words inserted by [S.I. 2019/778 reg. 6\(2\)\(a\)\(ii\)\(bb\)](#) (This amendment not applied to legislation.gov.uk. Reg. 6 omitted immediately before IP completion day by virtue of S.I. 2020/1637, regs. 1(6), 5)
 - Art. 13(2)(a) words substituted by [S.I. 2019/778 reg. 6\(2\)\(b\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Reg. 6 omitted immediately before IP completion day by virtue of S.I. 2020/1637, regs. 1(6), 5)
 - Art. 13(5)-(7) inserted by [S.I. 2019/1342 reg. 13\(6\)\(b\)](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
 - Art. 14para. 2b(b) words substituted by [S.I. 2023/424 Sch. para. 81](#)
 - Art. 14(3) inserted by [S.I. 2019/1342 reg. 13\(7\)\(c\)](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
 - Art. 17(9)(10) inserted by [S.I. 2019/1342 reg. 13\(18\)](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
 - Art. 18(1)-(1n) substituted for Art. 18(1) by [S.I. 2019/1342 reg. 13\(19\)\(a\)](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has

- no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- Art. 18(6) inserted by [S.I. 2019/1342 reg. 13\(19\)\(e\)](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
 - Art. 26(2a) inserted by [S.I. 2019/759 reg. 7\(11\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Regs. 6-8 omitted immediately before IP completion day by virtue of S.I. 2020/1637, regs. 1(6), 4)
 - Art. 27(1)(b)(i) words omitted by [S.I. 2019/759 reg. 7\(12\)\(a\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Regs. 6-8 omitted immediately before IP completion day by virtue of S.I. 2020/1637, regs. 1(6), 4)
 - Art. 27(1)(b)(ii) words omitted by [S.I. 2019/759 reg. 7\(12\)\(a\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Regs. 6-8 omitted immediately before IP completion day by virtue of S.I. 2020/1637, regs. 1(6), 4)
 - Art. 27(1)(d) words substituted by [S.I. 2019/759 reg. 7\(12\)\(a\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Regs. 6-8 omitted immediately before IP completion day by virtue of S.I. 2020/1637, regs. 1(6), 4)
 - Art. 27(2)(a) words omitted by [S.I. 2019/759 reg. 7\(12\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Regs. 6-8 omitted immediately before IP completion day by virtue of S.I. 2020/1637, regs. 1(6), 4)
 - Art. 30(1)(a) words omitted by [S.I. 2019/759 reg. 7\(15\)\(a\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Regs. 6-8 omitted immediately before IP completion day by virtue of S.I. 2020/1637, regs. 1(6), 4)
 - Art. 30(1)(b) words substituted by [S.I. 2019/759 reg. 7\(15\)\(a\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Regs. 6-8 omitted immediately before IP completion day by virtue of S.I. 2020/1637, regs. 1(6), 4)
 - Art. 31(3a) inserted by [S.I. 2019/1342 reg. 13\(23\)\(d\)](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
 - Art. 32(1)(a) words substituted by [S.I. 2019/759 reg. 7\(16\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Regs. 6-8 omitted immediately before IP completion day by virtue of S.I. 2020/1637, regs. 1(6), 4)
 - Art. 32a32b inserted by [S.I. 2019/1366 Sch. 4 Pt. 2](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/1366 was made under a procedure whereby it ceases to have effect at the end of the period of 28 days beginning with the day on which it was made unless, during that period, the instrument was approved by a resolution of each House of Parliament. It was not approved by Parliament within that period and so has ceased to have effect.)
 - Art. 37(1)(a) words substituted by [S.I. 2019/759 reg. 7\(18\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Regs. 6-8 omitted immediately before IP completion day by virtue of S.I. 2020/1637, regs. 1(6), 4)
 - Art. 46(1)(a) words omitted by [S.I. 2023/1362 Sch. 2 para. 5\(2\)\(b\)\(ii\)](#)
 - Art. 46(1)(d) omitted by [S.I. 2023/1362 Sch. 2 para. 5\(2\)\(b\)\(iii\)](#)
 - Art. 46(1)(f) words substituted by [S.I. 2023/1362 Sch. 2 para. 5\(2\)\(b\)\(iv\)](#)
 - Art. 50(1)(b) words omitted by [S.I. 2019/759 reg. 7\(22\)\(a\)\(ii\)\(aa\)](#) (This amendment not applied to legislation.gov.uk. Regs. 6-8 omitted immediately before IP completion day by virtue of S.I. 2020/1637, regs. 1(6), 4)
 - Art. 50(1)(b) words substituted by [S.I. 2019/759 reg. 7\(22\)\(a\)\(ii\)\(bb\)](#) (This amendment not applied to legislation.gov.uk. Regs. 6-8 omitted immediately before IP completion day by virtue of S.I. 2020/1637, regs. 1(6), 4)
 - Art. 50(1b) inserted by [S.I. 2023/394 reg. 3\(3\)](#)

- Art. 51(a) words substituted by [S.I. 2019/759 reg. 7\(23\)\(a\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Regs. 6-8 omitted immediately before IP completion day by virtue of S.I. 2020/1637, regs. 1(6), 4)
- Art. 51(1) words omitted by [S.I. 2023/1362 Sch. 2 para. 5\(5\)](#)
- Art. 52(5) inserted by [S.I. 2019/759 reg. 7\(24\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Regs. 6-8 omitted immediately before IP completion day by virtue of S.I. 2020/1637, regs. 1(6), 4)
- Art. 53(7)(8) inserted by [S.S.I. 2024/11 reg. 2](#)
- Art. 53(7)(8) inserted by [S.I. 2024/115 reg. 2](#)
- Art. 53(7)(8) inserted by [S.I. 2024/83 reg. 2](#)
- Art. 57(1)(a) revoked by [S.I. 2023/1362 Sch. 1](#)
- Art. 57(1)(b) revoked by [S.I. 2023/1362 Sch. 1](#)
- Art. 58(4)(5) substituted for Art. 58(4) by [S.I. 2019/759 reg. 7\(28\)\(e\)](#) (This amendment not applied to legislation.gov.uk. Regs. 6-8 omitted immediately before IP completion day by virtue of S.I. 2020/1637, regs. 1(6), 4)