

Regulation (EU) 2019/787 of the European Parliament and of the Council of 17 April 2019 on the definition, description, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs, the protection of geographical indications for spirit drinks, the use of ethyl alcohol and distillates of agricultural origin in alcoholic beverages, and repealing Regulation (EC) No 110/2008

### CHAPTER III

## GEOGRAPHICAL INDICATIONS

### *Article 21*

#### **Protection of geographical indications**

- 1 Geographical indications protected under this Regulation may be used by any operator marketing a spirit drink produced in conformity with the corresponding product specification.
- 2 Geographical indications protected under this Regulation shall be protected against:
  - a any direct or indirect commercial use of a registered name in respect of products not covered by the registration where those products are comparable to the products registered under that name or where using the name exploits the reputation of the protected name, including where those products are used as an ingredient;
  - b any misuse, imitation or evocation, even if the true origin of the products or services is indicated or if the protected name is translated or accompanied by an expression such as ‘style’, ‘type’, ‘method’, ‘as produced in’, ‘imitation’, ‘flavour’, ‘like’ or similar, including when those products are used as an ingredient;
  - c any other false or misleading indication as to the provenance, origin, nature or essential qualities of the product in the description, presentation or labelling of the product liable to convey a false impression as to the origin of the product;
  - d any other practice liable to mislead the consumer as to the true origin of the product.
- 3 Geographical indications protected under this Regulation shall not become generic in the Union.
- 4 The protection referred to in paragraph 2 shall also apply with regard to goods entering the customs territory of the Union without being released for free circulation there.