

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 32

Cancellation

1 The [^{F1}Secretary of State may, on the Secretary of State's] own initiative or at the request of any natural or legal person having a legitimate interest, ^{F2}... cancel the registration of a geographical indication in either of the following cases:

- a where compliance with the requirements for the product specification can no longer be ensured;
- b where no product has been placed on the market under the geographical indication for at least seven consecutive years.

Articles 24, 26, 27, 28 and 30 shall apply *mutatis mutandis* to the cancellation procedure.

2 Notwithstanding paragraph 1, the [^{F3}Secretary of State] may, at the request of the producers of the spirit drink marketed under the registered geographical indication, [^{F4}cancel] the corresponding registration.

3 In the cases referred to in paragraphs 1 and 2, before [^{F5}taking a decision to cancel a geographical indication, the Secretary of State must consult the original applicant. In the case of a geographical indication relating to an area in a third country, the Secretary of State must, where possible, consult the third country applicant who originally applied for the registration of the geographical indication or, where this is not possible, the authorities of the relevant third country. The provisions of this paragraph do not apply if] the cancellation is directly requested by [^{F6}the original applicant].

^{F74}

[^{F85} An implementing act to which paragraph 6 applies is revoked.

6 This paragraph applies to an implementing act adopted by the European Commission under Article 32 of EU Regulation 2019/787 and incorporated into domestic law by section 3(1) of the EUWA.

7 In this Article, in relation to a geographical indication to which paragraph 1 or 2 applies, ‘the original applicant’ means the person who submitted the application to the Secretary of State under Article 24 that resulted in the Secretary of State making the decision to register the geographical indication under this Regulation.]

Changes to legislation: This version of this Regulation was derived from EUR-Lex on IP completion day (31 December 2020 11:00 p.m.). It has not been amended by the UK since then. Find out more about legislation originating from the EU as published on legislation.gov.uk. (See end of Document for details)

Textual Amendments

- F1** Words in Art. 32(1) substituted (31.12.2020) by [The Agricultural Products, Food and Drink \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1637\)](#), regs. 1(7), **28(22)(a)(i)**
- F2** Words in Art. 32(1) 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), **28(22)(a)(ii)**
- F3** Words in Art. 32(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), **28(22)(b)(i)**
- F4** Word in Art. 32(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), **28(22)(b)(ii)**
- F5** Words in Art. 32(3) substituted (31.12.2020) by [The Agricultural Products, Food and Drink \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1637\)](#), regs. 1(7), **28(22)(c)(i)**
- F6** Words in Art. 32(3) substituted (31.12.2020) by [The Agricultural Products, Food and Drink \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1637\)](#), regs. 1(7), **28(22)(c)(ii)**
- F7** Art. 32(4) 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), **28(22)(d)**
- F8** Art. 32(5)-(7) inserted (31.12.2020) by [The Agricultural Products, Food and Drink \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1637\)](#), regs. 1(7), **28(22)(e)**

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