



EUROPEAN COMMISSION  
 DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT  
 Directorate F – Outreach, Research & Geographical Indications  
 The Director

Brussels  
 AGRI.F.3/

Dear Sir,

Thank you for your letter of 12 February (our ref.: Ares(2025)1152880) requesting an interpretation of several provisions of Regulation (EU) 2024/1143 on geographical indications.

You ask whether the term ‘indication’ in Article 37(5), in the part ‘*an indication of the name of the producer*’ (‘*or operator*’ for agricultural products), requiring that the name of the producer (or operator for agricultural products) shall appear in the label in the same field of vision of the geographical indications for agricultural products and spirit drinks, may be interpreted in the sense of allowing also signs which are different from the mere appearing of the name. The obligation that an indication of the name of the producer appear in the label would therefore, in your view, be satisfied also by using ‘an indication’ referring to the name of the producer and not necessarily the name of the producer. That indication (an identity code for instance) should be publicly available.

The objective of this provision is to ensure visibility of the actual producers of the product designated by the geographical indications. The obligation to put the name of the producer on the label meets that objective. A system indicating or referring to the name of the producer via the use of a code, although publicly accessible, does not appear to be in line with the objective of this provision.

In addition, if anything else that an actual name was possible, each Member States could use a different code system. This lack of consistency is likely to occur also within the same Member State: for a cheese it could be a code of the register of the Veterinary Services, as you suggested in your example; for a potato, it could be a code referring to the register of another database. It would be rather complex for the average consumer to identify the actual producer.

You further ask whether an individual producer of a PDO/PGI product or a trader of a PDO/PGI product may register any trade mark or trade name containing that PDO/PGI.

Provided that an individual producer or trader applies for the trade mark on products complying with the product specification of the PDO/PGI, such a trade mark may be registered. Therefore, if producer ‘X’ applies for the trade mark for products covered by the product specification, he/she can ask to have the trade mark ‘the GI of X’ registered and

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he/she will be allowed to use that trade mark only with products complying with the product specification. Please note that trade names can be registered in the national chambers of commerce trade registers if they are not similar to already registered names.

As a last question, you ask whether a natural or legal person established or resident in a Member State may submit a request for cancellation of a registered geographical indication for a product originating in another Member State by way of a direct request to the competent authorities of this second Member State.

A natural or legal person, having legitimate interest, resident or established in a Member State 'A' may not submit a request of cancellation of a geographical indication directly to the authorities of the Member State 'B', from which territory the geographical indication originates. A natural or legal person must submit the request of cancellation to the authorities of the Member State where it is resident or established (in this case Member State 'A'). The authorities of the Member State 'A' have the obligation to examine such a request on the basis of the requirements of Regulation (EU) 2024/1143 and its secondary legislation in view of possibly submitting such a request to the Commission.


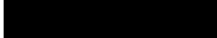
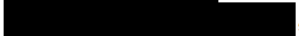
In case the request fulfils the requirements for a request of cancellation under Articles 25(1) of Regulation (EU) 2024/1143 and 14(1) and (2) of Regulation (EU) 2025/26, those authorities publish the request, thus opening the national opposition procedure. At the end of the national opposition procedure, they may submit the request of cancellation to the Commission under Article 25(1) of Regulation (EU) 2024/1143. If the request is submitted to the Commission and the Commission considers that it complies with the requirements under Regulation (EU) 2024/1143, that request is published in the EU Official Journal opening the opposition procedure at EU level.

The present opinion is provided based on the facts as set out in your email and expresses the view of the Commission services and does not commit the European Commission. In the event of a dispute involving European Union law, it is for the Court of Justice of the European Union to provide a definitive interpretation of the applicable European Union law.

Yours faithfully,



Diego CANGA FANO

cc: - , Ministry of Agriculture, Rural Development and Environment  
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