



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

Brussels
AGRI.F.3/

Subject : Letter with interpretative questions from Germany regarding also funding opportunities for producer groups and labelling obligations of Regulation (EU) 2024/1143 and Implementing Regulation (EU) 2025/26

Dear Sir,

Thank you for your message of 2 May 2025 (our ref. *Ares(2025)3564950*), raising a number of questions of interpretation of Regulation (EU) 2024/1143 and Implementing Regulation (EU) 2025/26.

1. Labelling of loose goods – scope of Article 37(3) and (5) of Regulation (EU) 2024/1143

EU labelling rules on geographical indications (GI) have been conceived for prepacked food and they apply as such only to GI prepacked food. Therefore, they cannot apply as such to non-prepacked foods. However, the objective of the GI labelling rules must be preserved when such rules are to be applied to non-prepacked foods.

First, we should identify what is meant by ‘non-prepacked food’. As specified in Article 44 of Regulation (EU) No 1169/2011 on the provision of food information to consumers (FIC), non-prepacked foods include, on the one hand, foods offered for sale to the final consumer without prepackaging, and, on the other hand, foods which are packed on the sales premises at the request of the consumer or prepacked for direct sale.

We focus on two rules: the obligation to indicate the Union symbol (logo) and the name of the producer of the GI product in the field of vision of the GI (*i.e.* the name of the GI product as displayed on the label). The FIC Regulation defines the ‘field of vision’ as ‘all the surfaces of a package that can be read from a single viewing point’. As such, this cannot be exactly replicated in case the product has no prepackaging. If the food has no prepackaging, the objective of that rule must however be reached by indicating that symbol or word in clear connection with the GI. Retailers are

Dr. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

nevertheless free to provide the required information in the manner they find the most convenient, e.g. on a notice in close proximity to the product or on the shelf edge.

In conclusion, the GI labelling rules may not be applied as such to non-prepacked foods, but the objective of those rules (showing the symbol to convey the information that the product is a PDO or a PGI and indicating the name of the producer to make it known and visible) **must** be reached in some way also as regards non-prepacked foods.

You propose to adopt for the GI labelling rules an approach based on Article 44 of the FIC Regulation. This approach consists of the following:

- only the provision of the particulars related to substances causing allergies or intolerances is mandatory on non-prepacked foods,
- the provision of the other particulars mandatory on prepacked foods are not mandatory on non-prepacked foods,
- Member States may decide which of the other particulars mandatory on prepacked foods are also mandatory on non-prepacked foods and how they are to be made available.

The reasons for applying this approach in the framework of the FIC Regulation are explained in recital 48 of that Regulation ⁽¹⁾.

In the light of the above, you propose, also for GI non-prepacked foods, to leave to the Member States: 1) **whether** the Union symbol must appear in the same field of vision as the GI, and 2) **whether** the producer must be indicated and, if so, where on the packaging.

In our opinion, this would allow Member States to adopt rules not in line with the objective of the EU GI labelling rules.

Although we recognise that the EU GI labelling rules may not be implemented as such for non-prepacked foods and that Member States are better placed to adapt the provisions to the local practical conditions and circumstances as regards the information to be given to the consumers concerning non-prepacked foods, in the absence of a specific and explicit provision allowing Member States to derogate the rules on GI labelling for non-prepacked foods (as Article 44 of the FIC Regulation does), we consider that Member States may not go that far as regards GI non-prepacked foods. They may only adapt the EU GI legislation to the specific national context but not change it.

Therefore, Member States may adopt national legislation on how the Union symbol and the name of the producer must be indicated in relation to the geographical indication for GI loose products but not on whether the Union symbol and the name of the producer have to be indicated.

⁽¹⁾ “Member States should retain the right, depending on local practical conditions and circumstances, to lay down rules in respect of the provision of information concerning non-prepacked foods. Although in such cases the consumer demand for other information is limited, information on potential allergens is considered very important. Evidence suggests that most food allergy incidents can be traced back to non-prepacked food. Therefore information on potential allergens should always be provided to the consumer.”

2. Financing of producer groups pursuant to Article 32(3) of Regulation (EU) 2024/1143

To oblige all producers to become members of the producer group would be in contrast with EU competition rules. Any producers complying with the product specification has the right to use the name. The legislator was strict in excluding the position of exclusive right holder for the producer groups.

As you mention, Article 32(3) of Regulation (EU) 2024/1143 is quite broad in its wording. In addition, it is true that all the producers of the PDO or PGI products benefit from the activity of and from the tasks performed by the producer group. Therefore, to establish a mandatory financial participation to the costs may be seen as reasonable.

3. Use of the abbreviation ‘GI’ for registered geographical indications in the spirit drinks sector in Implementing Regulation (EU) 2025/26

On the subject of this point, it has to be noted that the abbreviation “GI” ⁽²⁾ used instead of “geographical indication” in Annex I part III, Annex II no.2 and Annexes III to IX of Regulation (EU) 2025/26 is used there as an abbreviation only for reason of easy reading. Annexes are technical documents. They may not create obligations without correspondent provisions in the text of the Regulation. This does not mean that the abbreviation ‘GI’ is meant to be used on a label. In Article 37(6) of Regulation (EU) 2024/1143, this has been made clear.

On the subject of your request for correction concerning the spaces to be removed in Implementing Regulation (EU) 2025/26 for the German abbreviations, a Corrigendum has indeed been published in the Official Journal in the meantime: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L_202590236.

4. Explicit use of the word ‘producer’ in the case of spirit drinks bearing a registered geographical indication (Article 37(5) of Regulation (EU) 2024/1143)

In the current version of Regulation (EU) 2024/1143, Article 37(5), second subparagraph says that “*in the case of spirit drinks designated by a geographical indication, an indication of the name of the producer shall appear in the labelling, in the same field of vision as the geographical indication*”.

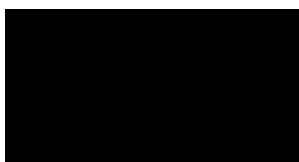
This means that in the case of Spirit drinks, only mentioning the *producer* name on the label is mandatory. There is no obligation to add the word “producer” before the name of the producer in order to explain what that name refers to.

The present opinion is provided based on the facts as set out in your letter of 2 May 2025, 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

⁽²⁾ Note for the translator: “g.A.” in German language

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