

The background features a light purple map of Europe. Overlaid on the map are several thick, curved, semi-transparent ribbons in various colors: green, orange, blue, and red. These ribbons appear to represent different regions or thematic paths across the continent.

XV EAAE Congress
TOWARDS SUSTAINABLE AGRI-FOOD SYSTEMS:
balancing between markets and society

The role of Regions in the process of modification of GIs product specifications

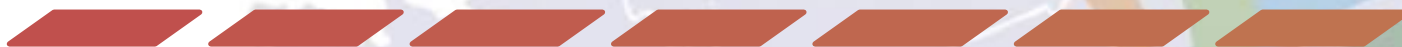
Giulia Scaglioni, AREPO Policy Officer

Parma

August 28th –September 1st 2017

The role of Regions in the process of modification of GI's product specifications

1. Introduction: objectives of the analysis



2. Setting up the context: France, Italy and Spain



3. Case studies



4. Conclusions



1. Introduction: objectives of the analysis

- Thanks to their **competence in rural development policy**, **Regions** represent a key-player in the process of **definition and modification** of products specifications
- **At different extents, they support producers during registration process**

Objectives of the presentation: Analysing **different models** and existing regional **practices** regarding amendment of GIs specifications, addressing in particular the following issues:

- Formal Vs informal role
- Proactive role Vs support
- Tradition & innovation
- Mediator among different categories of stakeholders

Case studies:

1. **Emilia-Romagna Region** - Italy
2. **Catalunya** – Spain
3. **Nouvelle-Aquitaine** - France

Information on case studies has been collected through telephonic interview with AREPO's referents of these Regions. **Successful practices** and recurring **problems** will be presented.

2. Setting up the context: France, Italy and Spain

Analysis of 3 different MS with an historical system of recognition of GIs and different model concerning regional competences:

FRANCE

No recognized formal role in GIs registration/ amendment. Process managed at national level by INAO.

Some Regions (indirectly) **support producers with technical expertise.**

ITALY

Regions have specific competences that are formally defined in the national legislation:

[Decreto ministeriale 14 ottobre 2013](#)

SPAIN

Autonomous Communities have **exclusive competence** concerning GIs registration/ amendment (exclusive competence in regulation of agri-food sector).

In all three countries the amendment procedure follows the same steps of registration procedure.

3. Case study n°1: Nouvelle-Aquitaine Region - France

No recognised formal role – technical support

- **Nouvelle-Aquitaine** is one of the 5 Regions in France that has a regional institute for agri-food quality: **AANA** (Agri-food Agency of New Aquitaine)
- An **agreement with INAO** recognises the expertise of these agencies in supporting producers that want to register/modify a GI
- **AANA**: Producers can ask for **technical support** in the initial stage of a registration process to structure the association (ODG) and **develop products specifications**, as well as in presenting **amendment** requests
- The cost of this service is charged to producer associations. Nevertheless, Nouvelle-Aquitaine will allocate regional funds to reimburse producers

3. Case study n°2: Emilia-Romagna Region – Italy (1)

Specific competences defined by national legislation...

NATIONAL LEGISLATION: [Decreto ministeriale 14 ottobre 2013](#)

- Application/amendment sent to Ministry of Agriculture & to the interested Region(s)
- The Region(s) request(s) a **meeting with the Ministry** to evaluate the dossier (application/ amendment) (within 60 days)
- **The Region(s) should elaborate an opinion of the application/amendment and send it to the Ministry (within 90 days)**
- The applicants send their replies to the Ministry and the Region(s)
- The Ministry and the Region(s) participate together to the public meeting (for the amendment only if the defined territory of production is modified)
- The applicants send their replies to the statement(s) of opposition to the Ministry and the Region(s)

3. Case study n°2: Emilia-Romagna Region – Italy (2)

...and clarified in regional legislation

REGIONAL LEGISLATION [Allegato A alla Delibera Regionale n. 1682 del 27 ott. 2014](#)

In order to elaborate the **opinion**:

- the competent service demands a **technical evaluation**
- the Region publishes an **abstract of the application in the regional official bulletin** to inform the interested parties
- Interested parties can send **observations**

The opinion should analyse:

- the **consistency** of product' specifications **with the regional strategy of valorisation of agrifood products**
- the existence of **conflicting interests**
- other relevant aspects for PDO/PGI registration

3. Case study n°2: Emilia-Romagna Region – Italy (3)

Informal role not recognised by the Decree but *de facto* assumed by the Region

As a part of the preliminary assessment, E-R also assures **technical support** to producers interested in registering a new GI or to modify an existing one through informal contacts and relations with the applicant group

Major items to discuss with the applicant group:

- **Commitment** to present an application for registration and eventual alternatives
- Evaluation of **pros and cons** of application for registration/ modification
- **Assessment** of registration's impact on producers (economic & operative aspects)
- Any doubts about the linkage between
 - quality/product characteristics and the geographical environment
 - a specific product's quality, product's reputation or other product's characteristics and its geographical origin

The **internal organisation of the E-R** reflects its role in GI registration/amendment since there is a service responsible for PDO/PGI. **At the present, E-R has only amendment requests pending approval of the Commission.**

3. Case study n°2: Emilia-Romagna Region – Italy (4)

Further observations:

- E-R does **not have a proactive role nor specific objectives** in proposing amendments: the demand always comes from the producers. Region advises to introduce an amendment in order to address problems presented by producers
- **Balance between tradition and innovation:** technological amendments should not change specific product's quality described in specifications but innovation is widely accepted
- Region acts as a **mediator** to find a balance between all the interests represented. The institutional process is considered effective in finding a compromise. In complicated cases, E-R intervenes organising informal meetings with producers before the amendment request is presented.

3. Case study n°3: Catalonia Region – Spain (1)

Distribution of functions between MAPAMA and Autonomous Communities

GI PROTECTED AT SUPRA-AUTONOMOUS LEVEL

[Real Decreto 1335/2011](#) and
[Real Decreto 149/2014](#)

Spanish Ministry of Agriculture (MAPAMA) carries on all the registration/ amendment procedure at national level

Involved Autonomous Communities should present a **report** and **meet with MAPAMA** to discuss the issue

GI PROTECTED AT AUTONOMOUS LEVEL

[Ley 6/2015](#)

Interested Autonomous Community has exclusive competence and carries on all registration/amendment procedure

MAPAMA intervenes only to transmit the application to EC

3. Case study n°3: Catalonia Region – Spain (2)

Exclusive competence concerning GIs registration/amendment

- **Statute of Autonomy of Catalonia:** the Generalitat has **exclusive competence** concerning agri-food sector (art. 116) and **GIs** (art. 128). This includes the creation and implementation of the legal framework and regulatory standards.
- **Therefore, the evaluation and management of applications for a new GI and amendment demands concerning Catalan products are carried out exclusively by the Generalitat de Catalunya.**
- The Spanish Ministry of Agriculture has jurisdiction over supra-autonomous GIs. Since this is not the case of Catalan registered products → **the Ministry intervenes only to transmit the application to the EC.**
- The Catalan legislative framework: [Ley 14/2003, de 13 de junio, de calidad agroalimentaria](#)
 - [DECRET 285/2006, de 4 de juliol](#) establishes the procedure for requesting a GI registration/modification.

3. Case study n°3: Catalonia Region – Spain (3)

Exclusive competence concerning GIs registration/amendment

[DECRET 285/2006, de 4 de juliol](#)

- Application/amendment request sent to the Regional Ministry of Agriculture
- After a first analysis by the competent DG, the application is published in OJ
- Oppositions should be presented to the Regional Ministry
- If the application is considered eligible, the Catalan Ministry approves the **provisional protection** and informs the Spanish Ministry of Agriculture that transmits the application to the EC
- Once approved by EC, the Catalan Ministry publishes the decision on the OJ

Both registration and amendment procedures are exactly the same and are carried in all phases by the Generalitat.

3. Case study n°3: Catalonia Region – Spain (4)

Observations:

- Catalunya does **not have a proactive role nor specific objectives** in proposing amendments: the demand always comes from the producers
- Region acts as a **mediator** to find a balance between all the interests represented
- The balance between tradition and innovation is usually found by producers themselves

3. Recurring problems

Both E-R and Catalunya highlighted a problem related to the **length of amendment process**, in particular:

- Paradoxically, minor amendments usually take more time to be approved. Even if they skip the opposition process and should simply be approved or rejected by EC, they undergo a greater scrutiny by the EC itself
- Furthermore, the Reg. 1151/12 has **removed the possibility to approve transitional recognition to the amendment of product specifications**. As a consequence the length of the process is even more problematic
- Finally, in some cases the amendment request has given way to a sort of evaluation of original product specifications by the EC. This is the case of those products approved before the introduction of the single document. For these products EC just had an abstract of the specifications, thus tended to consider as amendments some original elements of products specifications that were not included in the abstract

Conclusions

- At different extents, all three Regions present some form of **(technical) support** for producers during registration/amendment process
- When the Region has a formal role in the registration/amendment process it also has an **important and effective function as a mediator** among different categories of stakeholders
- None of the three Regions plays a proactive role in proposing amendment, they just **support producer associations** when amendments are necessary
- Nevertheless, **amendment procedures are increasing** and outpacing the number of registration procedures.



AREPO

ASSOCIATION OF
EUROPEAN REGIONS
OF PRODUCE OF ORIGIN

Thank you for your attention!

Giulia Scaglioni

Association of European Regions for Products of Origin

policyofficer@arepoquality.eu

<http://www.arepoquality.eu/en>



*Parma
August 28th –September 1st 2017*



AREPO