COMMISSION IMPLEMENTING REGULATION (EU) 2021/1236

of 12 May 2021

laying down rules for the application of Regulation (EU) 2019/787 of the European Parliament and of the Council concerning applications for registration of geographical indications of spirit drinks, the opposition procedure, amendments to product specifications, cancellation of the registration, use of symbol and control

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 ([1]), and in particular point (c) of the first paragraph of Article 20 and Article 42 thereof,

Whereas:

(1) Regulation (EU) 2019/787 repealed and replaced Regulation (EC) No 110/2008 of the European Parliament and of the Council ([2]). Chapter III of Regulation (EU) 2019/787 lays down rules on geographical indications in the spirit drinks sector and empowers the Commission to adopt delegated and implementing acts in that respect. In order to ensure the smooth functioning of the market of spirit drinks in the new legal framework and in particular to simplify and rationalise the functioning of geographical indications system for spirit drinks, certain rules have to be adopted by means of such acts. Those acts should replace part of the provisions of Commission Implementing Regulation (EU) No 716/2013 ([3]), which is repealed by Commission Delegated Regulation (EU) 2021/1235 ([4]).

(2) Regulation (EU) 2019/787 allows several groups from different Member States or third countries to submit a joint application for the registration of geographical indications of spirit drinks. In the interest of clarity, additional rules on the submission of such joint applications concerning more than one national territory should be laid down.

(3) In order to ensure that uniform and efficient procedures are in place, rules should be laid down on the required information and forms for submitting applications for registration, applications for approval of Union amendments to a product specification and communications of approved standard and temporary amendments, notices and reasoned statements of opposition, notifications of end of consultation following an opposition procedure and requests for cancellation of a registration.

(4) The geographical area of geographical indications for which protection is sought should be described in the product specification in a detailed, precise and unequivocal way that enables producers, competent authorities and control bodies to operate on certain, conclusive and reliable bases. Furthermore, the single document should contain a concise summary of the geographical area.

([1]) OJ L 130, 17.5.2019, p. 1.

([2]) Regulation (EC) No 110/2008 of the European Parliament and of the Council of 15 January 2008 on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89 (OJ L 39, 13.2.2008, p. 16).

([3]) Commission Implementing Regulation (EU) No 716/2013 of 25 July 2013 laying down rules for the application of Regulation (EC) No 110/2008 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks (OJ L 201, 26.7.2013, p. 21).

([4]) Commission Delegated Regulation (EU) 2021/1235 of 12 May 2021 supplementing Regulation (EU) 2019/787 of the European Parliament and of the Council with rules concerning applications for registration of geographical indications of spirit drinks, amendments to product specifications, cancellation of the registration and the register (See page 1 of this Official Journal).

(5) The interests of third parties in a Member State should be protected in case substantial changes to the product specifications submitted with the application are made following the Commission's observations in the context of the scrutiny carried out under Article 30(1) of Regulation (EU) 2019/787. Such changes should be adequately published at Member State level to enable natural or legal persons having legitimate interest to submit an opposition.

(6) For the sake of legal certainty and efficient management of the system, detailed rules concerning requirements and deadlines for the opposition procedure, applications for the approval of Union amendments, communications of approved standard or temporary amendments and cancellation requests should be provided.

(7) In accordance with Article 27(1) of Regulation (EU) 2019/787 the Commission is to share a notice of opposition that has been submitted against an application for registration of a geographical indication or an application for approval of a Union amendment or against a cancellation request, with the authority, body or person that submitted the application or request. For reasons of transparency and for the economy of the procedure, that notice should include the name and contact details of the opponent. The applicant would be able to start immediately informal consultation with the potential opponent possibly clarifying the issue before the opponent sends the reasoned statement of opposition.

(8) Where a notice of opposition is followed by an admissible reasoned statement of opposition, the Commission is to provide the authority, body or person that submitted the notice of opposition and the authority, body or person that submitted the application for registration or amendment or the cancellation request with their respective contact details, in order to allow the two parties to engage in appropriate consultations in accordance with Article 27(3) of Regulation (EU) 2019/787.

(9) The name of the applicant submitting an application for approval of a Union amendment or the name of a natural or legal person making a cancellation request in accordance with Articles 31 or 32 of Regulation (EU) 2019/787 respectively, is to be published in order to identify the persons who have activated the procedure of amendment or cancellation and to allow potential opponents to challenge their legitimate interest.

(10) The publication in the *Official Journal of the European Union* of approved standard and temporary amendments is necessary to make that amendment public and applicable in the territory of the Union in accordance with the new system of competences for amendments referred to in Article 31 of Regulation (EU) 2019/787. The publication of an approved standard amendment referring to a geographical indication originating in a third country which has been notified by a natural or legal person may contain personal data in order to identify the person responsible for transmitting such an amendment.

(11) Existing rules on the reproduction of the Union symbol for protected geographical indications for agricultural products and foodstuffs as set out in Commission Implementing Regulation (EU) No 668/2014 ([5]) should be replicated to enable consumers to recognise spirit drinks bearing a protected geographical indication.

(12) The added value of a geographical indication is based on consumer trust. The scheme is only credible if it is accompanied by effective verification, control and auditing which includes a system of checks at all stages of production, processing and distribution, managed by the competent authorities designated by Member States in accordance with Article 43(1) of Regulation (EU) 2019/787 in conjunction with Article 38(2) of that Regulation. For the optimal functioning of the single market, it is important that producers may quickly and easily demonstrate in several contexts that they are authorised to use the protected name, such as in controls by customs officers, market inspections or on demand by trade operators. The system set out by the Member States should also guarantee that producers complying with the rules are entitled to be covered by the verification of compliance of the product specification.

([5]) Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs (OJ L 179, 19.6.2014, p. 36).

(13) Rules and forms should be established in respect of a proof of certification of spirit drinks bearing a geographical indication relating to a geographical area in a third country.

(14) In the interest of effective administrative management and taking account of the experience acquired through the information systems put in place by the Commission, communications between the Member States and the Commission should be simplified and the information should be exchanged in accordance with Commission Delegated Regulation (EU) 2017/1183 ([6]) and Commission Implementing Regulation (EU) 2017/1185 ([7]).

(15) The Commission has put in place the information system '*e*-Ambrosia' for the management of the applications for protection of geographical indications in food, wine, spirit drinks and aromatised wines. Member States and the Commission should continue to use that system in respect of spirit drinks for the purpose of communication concerning the procedures related to applications for registration and for the approval of amendments to the product specification. However, owing to a strict system of accreditation, that system should not be used for communications with Member States concerning the procedure for oppositions and cancellation requests and, pending the requisite digital security guarantees, it should not be used for communications with third countries. Instead, for the procedures for oppositions and cancellation requests, Member States, the competent authorities and producers of third countries, as well as natural or legal persons who have a legitimate interest under Regulation (EU) 2019/787 should communicate with the Commission via electronic mail.

(16) The manner in which the Commission makes the information concerning geographical indications in the spirit drinks sector accessible to the public should be defined.

(17) The procedures for registration, amendments to the product specification and cancellation of the registration in respect of geographical indications of spirit drinks originating in the Union and the procedures concerning the controls, pursuant to Regulation (EU) 2019/787, Delegated Regulation (EU) 2021/1235 and this Regulation are carried out by the Commission and the Member States. The Commission and the Member States are responsible for distinct stages of each type of procedure. Member States are responsible for the first stage, which consists of receiving the application from the producer group, assessing it, including running a national opposition procedure, and, following the results of the assessment, submitting the application to the Commission. The Commission is responsible for scrutinising the applications, including running a worldwide opposition procedure, and taking a decision on granting the protection to the geographical indication. The Commission also carries out the corresponding procedures for geographical indications originating in third countries.

(18) With a view to minimising the exposure of personal data, the documents to be submitted in the course of the relevant procedures should as far as possible avoid requirements for submission of personal data. Nonetheless, the Commission and the Member States may need to process information that contain personal data such as personal names and contact details. In duly justified cases, such data may need to be disclosed or made public.

(19) Regulation (EU) 2018/1725 of the European Parliament and of the Council ([8]) applies to the processing of personal data carried out by the Commission in the course of those procedures. It is appropriate to clarify that the Commission is to be considered controller within the meaning of Regulation (EU) 2018/1725 in relation to the processing of personal data in the procedures for which it is responsible under Regulation (EU) 2019/787.

([6]) Commission Delegated Regulation (EU) 2017/1183 of 20 April 2017 on supplementing Regulations (EU) No 1307/2013 and (EU) No 1308/2013 of the European Parliament and of the Council with regard to the notifications to the Commission of information and documents (OJ L 171, 4.7.2017, p. 100).

([7]) Commission Implementing Regulation (EU) 2017/1185 of 20 April 2017 laying down rules for the application of Regulations (EU) No 1307/2013 and (EU) No 1308/2013 of the European Parliament and of the Council as regards notifications to the Commission of information and documents and amending and repealing several Commission Regulations (OJ L 171, 4.7.2017, p. 113).

([8]) Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

(20) Regulation (EU) 2016/679 of the European Parliament and of the Council ([9]) applies to the processing of personal data carried out by Member States in the course of the relevant procedures. Therefore, it is appropriate to clarify that the competent authorities of the Member States are to be considered controllers within the meaning of Regulation (EU) 2016/679 in relation to the processing of personal data in the procedures for which they are responsible under Regulation (EU) 2019/787.

(21) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Spirit Drinks,

HAS ADOPTED THIS REGULATION:

CHAPTER I

Introductory provision

Article 1

Subject matter

This Regulation lays down rules for the application of Regulation (EU) 2019/787 as regards geographical indications of spirit drinks, and in particular concerning:

(a) applications for registration;

(b) the opposition procedure;

(c) amendments to product specifications;

(d) cancellation of the registration;

(e) the use of the Union symbol;

(f) controls;

(g) communications.

CHAPTER II

Specific provisions

SECTION 1

APPLICATION FOR REGISTRATION

Article 2

(Implementing power Article 42(2) of Regulation (EU) 2019/787) Joint applications

1. For the purposes of Article 24(4) of Regulation (EU) 2019/787, with respect to joint applications for registration of a geographical indication, the requirements laid down in Article 23 of Regulation (EU) 2019/787 and in Article 2 of Delegated Regulation (EU) 2021/1235 shall be fulfilled in all Member States and third countries concerned. Article 3 of Delegated Regulation (EU) 2021/1235 shall apply to all Member States concerned.

([9]) Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

2. The Member State, the authority of the third country or an applicant established in a third country which submits to the Commission a joint application as referred to in paragraph 1 becomes the consignee of any notification or decision issued by the Commission.

Article 3

(Implementing power Article 42(2) of Regulation (EU) 2019/787) Single document

1. For the purposes of point (c) of the first subparagraph of Article 23(1) and point (b) of Article 23(2) of Regulation (EU) 2019/787, the single document shall be concise and not exceed 2 500 words, except in duly justified cases.

2. Where the application relates to a geographical area in a Member State, the single document shall be drawn up in accordance with the form made available in the digital systems referred to in point (a) of the first subparagraph of Article 13(1).

3. Where the application relates to a geographical area in a third country, the third country authority or an applicant established in a third country shall use the model for single documents set out in Annex I. The information so supplied may be entered by the Commission into its digital systems.

4. Paragraphs 1 and 2 shall also apply to a single document covered by a request for publication in accordance with Article 50(6) of Regulation (EU) 2019/787.

Article 4

(Implementing power Article 42(1)(a) of Regulation (EU) 2019/787) Geographical area

The geographical area referred to in point (d) of the first subparagraph of Article 22(1) of Regulation (EU) 2019/787 shall be defined in the product specification in a precise way that presents no ambiguities, referring as far as possible to physical or administrative boundaries.

Article 5

(Implementing power Article 42(2) of Regulation (EU) 2019/787) Additional national scrutiny procedure

If, following the exchanges referred to in Article 30(1) of Regulation (EU) 2019/787 between the Commission and the Member State concerned, substantial changes are made to the product specification, those changes shall be adequately published in the Member State concerned to enable any natural or legal person having a legitimate interest and established or resident in the territory of the Member State in question to submit an opposition before the new version of the single document is sent to the Commission.

In cases where an additional national opposition procedure is to be carried out the Commission may, upon request of the Member State concerned, extend up to 6 months the deadline for the submission of observations referred to in Article 30(1) of Regulation (EU) 2019/787.

The electronic reference to the publication of the product specification shall be updated and shall lead to the consolidated version of the proposed product specification.

SECTION 2

OPPOSITION PROCEDURE

Article 6

(Implementing power Article 42(1)(b) of Regulation (EU) 2019/787) Procedural rules for opposition

1. A notice of opposition as referred to in the first subparagraph of Article 27(1) of Regulation (EU) 2019/787 shall contain:

(a) the name published in the *Official Journal of the European Union*, C series, to which the opposition relates;

(b) the reference to the *Official Journal of the European Union*, C series, where the application for registration of the name, the application for Union amendment or the request of cancellation concerned was published;

(c) the name and contact details of the Member State or of the third country authority or of the natural or legal person submitting the notice of opposition;

(d) the declaration that the application might infringe the requirements of Chapter III of Regulation (EU) 2019/787.

A notice of opposition shall be drawn up in accordance with the form set out in Annex II.

2. A reasoned statement of opposition as referred to in Article 27(2) of Regulation (EU) 2019/787 shall contain:

(a) the name published in the *Official Journal of the European Union*, C series, to which the opposition relates;

(b) the reference to the *Official Journal of the European Union*, C series, in which the name to which the opposition relates was published;

(c) the name and contact details of the Member State authority or of the third country authority or of the natural or legal person submitting the reasoned statement of opposition;

(d) a description of the legitimate interest of the natural or legal person that submitted the notice of opposition; this requirement shall not apply to national authorities;

(e) an indication of the grounds for opposition, as referred to in Article 28 of Regulation (EU) 2019/787;

(f) the details of the facts, evidence and comments in support of the opposition.

The reasoned statement may be accompanied by supporting documents, where relevant.

A reasoned statement of opposition shall be drawn up in accordance with the form set out in Annex III. By way of derogation, the Commission may accept a reasoned statement that is not drawn up in accordance with that form, provided all the information required under this Article is supplied.

3. For the purposes of the fifth subparagraph of Article 27(1) of Regulation (EU) 2019/787, the name and contact details of the authority or person that submitted the notice of opposition shall be communicated to the authority, body or person that submitted the application for registration or for approval of a Union amendment or the request of cancellation.

4. For the purposes of Article 27(3) of Regulation (EU) 2019/787, the name and contact details of the authority or person that submitted the reasoned statement of opposition and of the authority, body or person that submitted the application for registration or for approval of a Union amendment or the request of cancellation shall be communicated to the other party.

5. The Commission shall be notified of the results of the consultations referred to in Article 27(3) of Regulation (EU) 2019/787 within 1 month from the end of the consultations. Such notification shall contain:

(a) the name published in the *Official Journal of the European Union*, C series, to which the opposition relates;

(b) the reference to the *Official Journal of the European Union,* C series in which the name to which the opposition relates was published;

(c) the name of the opponent or opponents;

(d) the result of consultations;

(e) an indication whether the single document or product specification has been amended and a description of such amendments.

The notification of end of consultations following the opposition procedure shall be drawn up in accordance with the form set out in Annex IV to this Regulation.

SECTION 3

AMENDMENTS TO THE PRODUCT SPECIFICATION

Article 7

(Implementing power Article 42(1)(c) of Regulation (EU) 2019/787) Applications for Union amendments

1. An application for approval of a Union amendment to a product specification as referred to in Article 31 of Regulation (EU) 2019/787 shall contain:

(a) the protected name to which the amendment relates;

(b) the name and contact details of the applicant and a description of the legitimate interest of the applicant;

(c) the headings in the product specification and in the single document affected by the amendment;

(d) an explanation that the amendment falls under the definition of a Union amendment as provided for in Article 31 of Regulation (EU) 2019/787;

(e) a description of and the reasons for each of the amendments proposed;

(f) the consolidated single document, as amended;

(g) the electronic reference to the publication of the consolidated product specification, as amended;

(h) the declaration by the Member State that it considers that the application meets the requirements of Regulation (EU) 2019/787 and provisions adopted pursuant thereto;

(i) for applications from third countries only, proof that the requested amendment complies with the laws on protection of geographical indications in force in that third country.

The description and reasons referred in point (e) and the document referred to in point (f) shall not exceed 2 500 words each, except in duly justified cases.

2. An application for approval of a Union amendment shall be concise and not exceed 5 000 words, except in duly justified cases. An application from a Member State shall be drawn up in accordance with the form made available in the digital systems referred to in point (a) of the first subparagraph of Article 13(1). Applicants from third countries shall use the form set out in Annex V. The information so supplied may be entered by the Commission into its digital systems.

3. The amended single document shall be drawn up in accordance with Article 3. An application from a third country may include the consolidated version of the product specification instead of the electronic reference to the published product specification.

4. For the purposes of Article 31(4) of Regulation (EU) 2019/787, in conjunction with Article 26(2) of that Regulation, in addition to the single document, as amended, and the publication reference of the product specification, as amended, the Commission shall publish in the *Official Journal of the European Union*, C series, the application for approval of a Union amendment to a product specification.

Names of the natural or legal persons or officials of Member State or third countries submitting the application shall be published as part of that application.

Article 8

(Implementing power Article 42(1)(c) of Regulation (EU) 2019/787) Communicating a standard amendment

1. The communication of an approved standard amendment to the product specification in accordance with the second subparagraph of Article 8(2) and Article 8(3), (7) and (8) of Delegated Regulation (EU) 2021/1235 shall contain:

(a) the reference to the protected name to which the standard amendment relates;

(b) an explanation that the amendment falls under the definition of a standard amendment as provided for in Article 31 of Regulation (EU) 2019/787;

(c) a description of the approved amendment, indicating whether the amendment leads to an amendment of the single document;

(d) a summary of the reasons for which the amendment is required;

(e) the decision approving the standard amendment as referred to in Article 8(2) and (3) of Delegated Regulation (EU) 2021/1235;

(f) where relevant, the consolidated single document, as amended;

(g) the electronic reference to the publication of the consolidated product specification, as amended.

2. Where the communication is made by a Member State, it shall include a declaration by that Member State that it considers that the amendment approved meets the requirements of Regulation (EU) 2019/787 and provisions adopted pursuant thereto.

3. In the case of spirit drinks originating in third countries, the communication from the authorities of the third country or by a third country applicant having a legitimate interest shall indicate the name of the third country or of the applicant sending the communication and shall include proof that the amendment is applicable in the third country. It may include the product specification as made public instead of the electronic reference to the publication thereto.

4. A communication of an approved standard amendment by a Member State shall be drawn up in accordance with the form made available in the digital systems referred to in point (a) of the first subparagraph of Article 13(1). For communications from third countries the form set out in Annex VI shall be used. The information so supplied may be entered by the Commission into its digital systems.

5. For the purposes of Article 8(5) of Delegated Regulation (EU) 2021/1235, the name of the Member State or of the third country or of the natural or legal person submitting a communication of an approved standard amendment to the product specification of a geographical indication shall be published as part of the communication.

Article 9

(Implementing power Article 42(1)(c) of Regulation (EU) 2019/787) Communicating a temporary amendment

1. The communication of an approved temporary amendment to the product specification in accordance with Article 10(1) to (4) of Delegated Regulation (EU) 2021/1235shall contain:

(a) the reference to the protected name to which it relates;

(b) a description of the approved temporary amendment together with the reasons supporting it, as referred to in Article 31(3) of Regulation (EU) 2019/787;

(c) the reference of the formal recognition of the natural disaster or adverse weather conditions by the competent authorities or of the imposition of obligatory sanitary and phytosanitary measures;

(d) the electronic reference to the publication of the national decision approving the temporary amendment.

2. Where the communication is made by a Member State, it shall include a declaration by that Member State that it considers that the amendment approved meets the requirements of Regulation (EU) 2019/787 and the provisions adopted pursuant thereto.

3. In the case of spirit drinks originating in third countries, the communication from the authorities of the third country or by the third country applicant having a legitimate interest shall indicate the name of the third country or of the applicant sending the communication and shall include proof that the amendment is applicable in the third country. It may include the national decision approving the temporary amendment as made public instead of the electronic reference to the publication reference thereto.

4. A communication of an approved temporary amendment by a Member State shall be drawn up in accordance with the form made available in the digital systems referred to in point (a) of the first subparagraph of Article 13(1). For communications from third countries the form set out in Annex VII shall be used. The information so supplied may be entered by the Commission into its digital systems.

5. For the purposes of Article 10(5) of Delegated Regulation (EU) 2021/1235, the name of the Member State or of the third country or of the natural or legal person submitting a communication of an approved temporary amendment to the product specification of a geographical indication shall be published as part of the communication.

SECTION 4

CANCELLATION

Article 10

(Implementing power Article 42(1)(d) of Regulation (EU) 2019/787) Cancellation requests

1. A request to cancel the registration of a geographical indication as referred to in Article 32 of Regulation (EU) 2019/787 shall contain:

(a) the reference to the protected name to which it relates;

(b) the Member State or third country to which the geographical area belongs;

(c) the name and contact details of the authority or legal person seeking to cancel the registration. If the cancellation is requested by a natural person, the name and other personal data may be omitted in the request and sent to the Commission separately;

(d) a description of the legitimate interest of the natural or legal person seeking to cancel the registration. This requirement shall not apply to national authorities;

(e) an indication of the grounds for cancellation;

(f) the details of the facts, evidence and comments in support of the cancellation request;

(g) the declaration by the Member State that it considers that the cancellation request meets the requirements of Article 32 of Regulation (EU) 2019/787 and provisions adopted pursuant thereto.

The cancellation request may be accompanied by supporting documents, where relevant.

2. A cancellation request shall be drawn up in accordance with the form set out in Annex VIII.

3. For the purposes of the second subparagraph of Article 32(1) of Regulation (EU) 2019/787, in conjunction with Article 26(2) of that Regulation, the Commission shall publish in the *Official Journal of the European Union*, C series, the request for cancellation. Names of natural or legal persons or officials of Member State or third countries that submit a request for cancellation shall be published as part of that request.

SECTION 5

USE OF THE UNION SYMBOL

Article 11

(Implementing power Article 20(c) of Regulation (EU) 2019/787) Union symbol

The Union symbol indicating the protection as geographical indication, referred to in Article 16 of Regulation (EU) 2019/787, shall be reproduced as set out in Annex X to Implementing Regulation (EU) No 668/2014.

SECTION 6

CONTROLS

Article 12

(Implementing power Article 42(1)(e) of Regulation (EU) 2019/787) Verification of compliance with the product specification

1. For the purposes of this Article, 'producer of a spirit drink bearing a geographical indication' or 'processor of a spirit drink bearing a geographical indication', hereinafter referred to as 'producer' or 'processor', respectively, means an operator whose activities are covered by the product specification of the corresponding geographical indication.

2. Any producer or processor complying with the rules provided in Chapter III of Regulation (EU) 2019/787 is entitled to be covered by the verification of compliance established pursuant to Article 38 of that Regulation. A producer or processor shall declare their operation to the competent authority referred to in point (a) of the first subparagraph of Article 38(2) of Regulation (EU) 2019/787.

3. A producer or processor whose product, following the verification process referred to in Article 38 of Regulation (EU) 2019/787, is found to comply with the product specification of a geographical indication protected in accordance with that Regulation shall either:

(a) be accorded a certificate, which may be a certified copy, attesting compliance with the product specification. The certificate shall be at least in electronic form and may be made available by display on a web page to which the producer or processor has access and from which the producer or processor may download the certificate. The certificate shall state its date of issue. Certified producers or processors shall make their certificate available to any official control inspectorate or other enforcement authority. They may also make their certificate available to the public or to any person who may request proof of certification in the course of business. Such certificate shall be in Latin characters or accompanied by a transcription or transliteration in Latin characters; or

(b) be included in a list of approved producers or processors established by the competent authority. The listing, which may be the relevant extract from the complete list, shall be made available to each producer or processor so listed. It shall be at least in electronic form and may be made available by display on a web page to which the producer or processor has access and from which the producer or processor may download an official extract of the corresponding listing. The listing shall state the date on which it was drawn up. The producer or processor shall make available their listing on request to any official control inspectorate or other enforcement authority. They may make the listing available to the public and to any person who may request proof of listing in the course of business. The listing shall be in Latin characters or accompanied by a transcription or transliteration in Latin characters.

4. The certificate and the listing referred to in paragraph 3 shall be updated periodically, based on a risk assessment. The certificate and the listing shall contain at least the following data:

(a) the name of the protected geographical indication;

(b) the spirit drink category;

(c) the producer number (optional);

(d) the business name and contact details of the producer or processor;

(e) the business name or official name and contact details of the control body or the authority responsible for the listing;

(f) the business of the producer or processor to which the certification or listing applies, being 'production', 'processing', 'bottling (packaging)', and/or 'other' (to be specified);

(g) the date of issue of the certificate or the date on which the listing was drawn up;

(h) the signature, seal or mark of the control body or the authority responsible for the listing, which may be electronic.

5. In the event that a producer or processor is decertified or delisted, Member States shall ensure that the producer or processor shall not continue to display or use the certificate or the listing.

6. For the purposes of facilitating free circulation within the Union, bodies issuing the certificates and authorities responsible for the listing referred to in paragraph 3 may use the form set out in Annex IX.

7. For products produced in third countries, a producer or processor whose product designated by the registered geographical indication is imported into the Union shall make available on request to the importer of the product in the Union a proof of certification as a producer or processor of a product designated by that geographical indication as provided by the national control authority or the certification body of that third country.

The proof of certification may consist in a certificate or in a listing of authorised producers or processors and may be provided directly by that national control authority or certification body. The proof of certification may be in paper or electronic form. It shall be in, or accompanied by a translation into, an official language of the Union and in characters that may be easily understood in the Member State or Member States where the product is marketed. It shall not have expired, in accordance with the third country national law, on the date on which it is made available to the importer.

8. The proof of certification referred to in paragraph 7 shall be made available by the importer on request to customs authorities or other authorities in the EU engaged in verifying the use of geographical indications on goods declared for free circulation or placed on the Union market. The importer may make the proof of certification available to the public or to any person who requests proof of certification in the course of business.

CHAPTER III

Communications

Article 13

(Implementing power Article 42(2) of Regulation (EU) 2019/787) Communications between the Commission, the Member States, third countries and other operators

1. The documents and information required for the implementation of Chapter III of Regulation (EU) 2019/787 and Chapter II of this Regulation shall be communicated to the Commission as follows:

(a) for the competent authorities of Member States, through the digital systems made available by the Commission, subject to paragraph 2;

(b) for the competent authorities and producers of third countries, as well as natural or legal persons having a legitimate interest under Regulation (EU) 2019/787, via electronic mail using the forms set out in Annexes I to VIII to this Regulation.

Principles and requirements laid down in Delegated Regulation (EU) 2017/1183 and Implementing Regulation (EU) 2017/1185 shall apply to the communications made under point (a) of the first subparagraph.

2. By way of derogation from point (a) of the first subparagraph of paragraph 1, the competent authorities of the Member States shall submit to the Commission the notice of opposition, the reasoned statement of opposition and the notification of the result of the consultations referred to in Article 6, as well as a cancellation request referred to in Article 10, via electronic mail.

3. Information shall be communicated and made available by the Commission to the competent authorities of Member States through the digital systems made available by the Commission in accordance with point (a) of the first subparagraph of paragraph 1. Information in the context of the procedures referred to in point (b) of the first subparagraph of paragraph 1 and in paragraph 2 shall be communicated by the Commission to the Member States, the competent authorities and applicant groups of third countries, as well as natural or legal persons who have a legitimate interest under Regulation (EU) 2019/787 via electronic mail.

4. For official technical communications concerning geographical indications of spirit drinks, each Member State shall communicate to the Commission one contact point comprising a departmental and postal address, a functional electronic mail box address, and a departmental telephone number. The Member States shall keep these contact points up to date. This data shall only identify official functions, offices and departments. None of the data shall identify any natural persons nor personal details otherwise contained within addresses, contact numbers or other data items.

The Commission may keep, store, share, make public and periodically circulate the complete list of such contact points, including to its own services, other Union institutions and bodies, and to all contact points on the list. The Commission may require this data to be submitted through digital systems made available by the Commission.

Article 14

(Implementing power Article 42(2) of Regulation (EU) 2019/787) Submission and receipt of communications

1. The communications and submissions referred to in Article 13 shall be deemed to have been made on the date on which they are received by the Commission.

2. The Commission shall confirm receipt of all communications received and all files submitted through the digital systems referred to in point (a) of the first subparagraph of Article 13(1) to the competent authorities of the Member States through the digital systems.

The Commission shall attribute a file number to each new application for registration, application for approval of a Union amendment, communication concerning approved standard amendments and communication concerning approved temporary amendments.

The confirmation of receipt shall include at least the following elements:

(a) the file number;

(b) the product name concerned;

(c) the date of receipt.

The Commission shall notify and make available information and remarks regarding such communications and submissions through the digital systems referred to in point (a) of the first subparagraph of Article 13(1).

3. For communications and submissions of files made via electronic mail, the Commission shall confirm receipt via electronic mail.

It shall attribute a file number to each new application for registration, application for approval of a Union amendment, communication concerning approved standard amendments and communication concerning approved temporary amendments.

The confirmation of receipt shall include at least the following elements:

(a) the file number;

(b) the product name concerned;

(c) the date of receipt.

The Commission shall notify and make available information and remarks regarding such communications and submission via electronic mail.

4. Article 4 of Delegated Regulation (EU) 2017/1183 and Articles 1 to 5 of Implementing Regulation (EU) 2017/1185 shall apply *mutatis mutandis* to the notification and making available of information as referred to in paragraphs 1 and 2 of this Article.

Article 15

(Implementing power Article 42(2) of Regulation (EU) 2019/787) Information to be made public

The information that the Commission is to make public in accordance with Chapter III of Regulation (EU) 2019/787, Delegated Regulation (EU) 2021/1235 and this Regulation shall be made public through the digital systems made available by the Commission as referred to in point (a) of the first subparagraph of Article 13(1) of this Regulation.

CHAPTER IV

Personal data

Article 16

(Implementing power Article 42(1)(2) of Regulation (EU) 2019/787) Personal data

1. The Commission and the Member States shall process the personal data received in the course of the procedures for registration, approval of amendments, cancellation and control pursuant to Regulation (EU) 2019/787, Delegated Regulation (EU) 2021/1235 and this Regulation in accordance with Regulation (EU) 2018/1725 and Regulation (EU) 2016/679.

2. The Commission shall be considered controller within the meaning of Regulation (EU) 2018/1725 in relation to the processing of personal data in the procedure it is competent for in accordance with Regulation (EU) 2019/787, Delegated Regulation (EU) 2021/1235 and this Regulation.

3. The competent authorities of the Member States shall be considered controllers within the meaning of Regulation (EU) 2016/679 in relation to the processing of personal data in the procedures they are competent for in accordance with Regulation (EU) 2019/787, Delegated Regulation (EU) 2021/1235 and this Regulation.

CHAPTER V

Final provisions

Article 17

Entry into force and application

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 12 May 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

SINGLE DOCUMENT (REGULATION (EU) 2019/787)

'NAME'

GI-XX-XXXX

Date of application: XX-XX-XXXX

Important notice: applicants are advised to exclude all personal data (including person's names) and in particular from contact details (such as personal telephone numbers and email addresses). Any personal data submitted in this form will be processed in compliance with Regulation (EU) 2018/1725 of the European Parliament and of the Council [1]*. In case of opposition, the name of the applicant is communicated to the opponent in order to allow the appropriate consultation to start in accordance with Article 27(3) of Regulation (EU) 2019/787 of the European Parliament and of the Council* [2]*. The privacy statement is available on Europa web pages.*

1. **Name(s) to be registered:**

…

2. **Third country or countries to which the geographical area belongs:**

…

3. **Geographical Indication type:**

Geographical Indication

4. **Category or categories of the spirit drink:**

…

5. **Description of the characteristics of the spirit drink:**

…

6. **Definition of the geographical area:**

…

7. **Production method:**

…

8. **Specific rules concerning packaging:**

… [*If none, leave blank. State summary justification for any restrictions*].

9. **Specific rules concerning labelling:**

… [*If none, leave blank. State summary justification for any restriction*].

[1] Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018. p. 39).

[2] 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 (OJ L 130, 17.5.2019, p. 1).

10. **Description of the link between the spirit drink and its geographical origin, including, where appropriate, the specific elements of the product description or production method justifying the link:**

…

Reference to publication of the product specification

…

ANNEX II

NOTICE OF OPPOSITION (REGULATION (EU) 2019/787)

Important notice: applicants are advised to exclude all personal data (including person's names) and in particular from contact details (such as personal telephone numbers and email addresses). Any personal data submitted in this form will be processed in compliance with Regulation (EU) 2018/1725 of the European Parliament and of the Council [1]*. The notice of opposition, including the name of the opponent, is communicated to the applicant in accordance with Article 27(1) of Regulation (EU) 2019/787 of the European Parliament and of the Council* [2]*. The privacy statement is available on Europa web pages.*

1. **Name of product**

[as published in the *Official Journal*]

…

2. **Reference**

[as published in the *Official Journal*]

Reference number:…

Date of publication in the *Official Journal*:…

3. **Notice of opposition**

[Name of the Member State or of the third country or of the legal entity or natural person having a legitimate interest and established in a third country submitting this notice of opposition] considers that the application referred to in points 1 and 2 might infringe the conditions laid down in Chapter III of Regulation (EU) 2019/787 of the European Parliament and of the Council, and it reserves the right to send a reasoned statement of opposition in accordance with Article 27(2) of Regulation (EU) 2019/787.]

4. **Contact details**

Contact*:…

Group/organisation or national authority:…

Department:…

Address:

…

Telephone: +…

email address:…

5. **Dated and signed**

[Name]

[Department/Organisation]

[Address]

(1) Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018. p. 39).

(2) 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 (OJ L 130, 17.5.2019, p. 1).

[Telephone:+]

[email address:]

[date:]

[signature:]

ANNEX III

REASONED STATEMENT OF OPPOSITION (REGULATION (EU) 2019/787)

Important notice: applicants are advised to exclude all personal data (including person's names) and in particular from contact details (such as personal telephone numbers and email addresses). Any personal data submitted in this form will be processed in compliance with Regulation (EU) 2018/1725 of the European Parliament and of the Council ([1]). *If the opposition is found admissible, the name of the opponent is communicated to the applicant in order to allow the appropriate consultation to start in accordance with Article 27(3) of Regulation (EU) 2019/787 of the European Parliament and of the Council* ([2]). *The privacy statement is available on Europa web pages.*

1. **Name of product**

[as published in the *Official Journal*]

…

2. **Reference**

[as published in the *Official Journal*]

Reference number:…

Date of publication in the *Official Journal*:…

3. **Name of the opponent**

[Member State, Third country, Natural or legal person established in a third country]

…

4. **Contact details**

Contact:

Group/organisation or national authority:

Department:…

Address:

…

Telephone +…

email address:…

5. **Legitimate interest (not required for national authorities)**

[*Provide a statement explaining the legitimate interest of the opponent. In case of opposition concerning a request of cancellation show commercial use of the registered name (Article 12(3) of Commission Delegated Regulation (EU)* 2021/1235 ([3])*. National authorities are exempt from this requirement*].

([1]) Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018. p. 39).

([2]) 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 (OJ L 130, 17.5.2019, p. 1).

([3]) Commission Delegated Regulation (EU) 2021/1235 of 12 May 2021 supplementing Regulation (EU) 2019/787 of the European Parliament and of the Council with rules concerning applications for registration of geographical indications of spirit drinks, amendments to product specifications, cancellation of the registration and the register (OJ L 270).

6. **Grounds for opposition:**

☐ The application for registration or for approval of a Union amendment or the cancellation request is incompatible with the rules on geographical indications of spirit drinks because it would conflict with Article 3(4) and Articles 22, 31 or 32 of Regulation (EU) 2019/787 respectively and with the provisions adopted pursuant thereto.

☐ The application for registration or for approval of a Union amendment is incompatible with the rules on geographical indications of spirit drinks because the registration of the name proposed would be in conflict with Articles 34 or 35 of Regulation (EU) 2019/787.

☐ The application for registration or for approval of a Union amendment is incompatible with the rules on geographical indications of spirit drinks because the registration of the proposed geographical indication would jeopardise the existence of an entirely or partly identical name or of a trade mark or the existence of products which have been legally on the market for at least 5 years preceding the date of the publication provided for in Article 26(2) of Regulation (EU) 2019/787.

7. **Details of the opposition**

[*Provide duly substantiated reasons and justification, details of the facts, evidence and comments in support of the opposition. Provide the necessary documents in case of an opposition based on the existence of an earlier trademark of reputation and renown (Article 35(2) of Regulation (EU) 2019/787*].

8. **List of the supporting documents** [*Provide the list of the documents sent to support the opposition*].

9. **Dated and signed**

[Name]

[Department/Organisation]

[Address]

[Telephone:+]

[email address:]

[date:]

[signature:]

ANNEX IV

NOTIFICATION OF END OF CONSULTATIONS FOLLOWING THE OPPOSITION PROCEDURE (REGULATION (EU) 2019/787)

Important notice: applicants are advised to exclude all personal data (including person's names) and in particular from contact details (such as personal telephone numbers and email addresses). The privacy statement is available on Europa web pages.

1. **Name of product**

[as published in the *Official Journal*]

2. **Reference**

[as published in the *Official Journal*]

Reference number:

Date of publication in the *Official Journal*:

3. **Name of the opponent**

[Member State, Third country, Natural or legal person established in a third country]

…

4. **Result of consultations**

4.1 *Agreement was reached with the following opponent(s):*

[annex copies of letters showing agreement and all the factors that enabled the agreement (Article 27(3) of Regulation (EU) 2019/787 of the European Parliament and of the Council [1])]

4.2 *Agreement was not reached with the following opponent(s):*

[annex the information referred to in Article 27(3) of Regulation (EU) 2019/787]

5. **Product specification and single document**

5.1 *The product specification has been amended:*

… Yes* …No

*If 'Yes', annex a description of the amendments and the amended product specification

5.2. *The single document has been amended:*

… Yes** … No

**If 'Yes', annex the updated document

6. **Dated and signed**

_____

[Name]

[Department/Organisation]

[1] 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 (OJ L 130, 17.5.2019, p. 1).

[Address]

[Telephone:+]

[email address:]

[date:]

[signature:]

ANNEX V

APPLICATION FOR APPROVAL OF A UNION AMENDMENT TO THE PRODUCT SPECIFICATION (REGULATION (EU) 2019/787)

Important notice: applicants are advised to exclude all personal data (including person's names) and in particular from contact details (such as personal telephone numbers and email addresses). Any personal data submitted in this form will be processed in compliance with Regulation (EU) 2018/1725 of the European Parliament and of the Council ([1]). For reasons of transparency and in order to allow potential opponents to challenge the requirement of the legitimate interest of the applicant, the name of the applicant for a Union amendment to the product specification has to be published. The privacy statement is available on Europa web pages.

1. **Name of product**

[as published in the *Official Journal*]

2. **Applicant and legitimate interest**

[*Provide name, address, telephone and email address of the applicant proposing the amendment. In case address, telephone and email address concern a natural person they may not be included in this form and are sent to the Commission separately.*

Provide also a statement setting out the legitimate interest of the applicant.]

3. **Third country to which the geographical area belongs**

…

4. **Heading in the product specification and in the single document affected by the amendment(s)**

☐ Name of product

☐ Category or legal name of the spirit drink

☐ Link

☐ Marketing restrictions

5. **Type of amendment(s)**

[*Provide a statement explaining why the amendment(s) fall under the definition of 'Union amendment' as provided for in Article 31 of Regulation (EU) 2019/787 of the European Parliament and of the Council ([2])*].

([1]) Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018. p. 39).

([2]) 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 (OJ L 130, 17.5.2019, p. 1).

6. **Amendment(s)**

[*Provide a description of and the reasons for each amendment. The application for an amendment must be comprehensive and exhaustive as provided for in Article 7(1) of Commission Delegated Regulation (EU)* 2021/1235 ([3]) *and Article 7 of Commission Implementing Regulation (EU)* 2021/1236 ([4])].

7. **Annexes**

7.1. The consolidated single document, as amended

7.2. The consolidated version of the product specification as published, or the reference to the publication of the product specification

7.3. Proof that the amended documents correspond to the geographical indication in force in the third country

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([3]) Commission Delegated Regulation (EU) 2021/1235 of 12 May 2021 supplementing Regulation (EU) 2019/787 of the European Parliament and of the Council with rules concerning applications for registration of geographical indications of spirit drinks, amendments to product specifications, cancellation of the registration and the register (OJ L 270).

([4]) Commission Implementing Regulation (EU) 2021/1236of 12 May 2021 laying down rules for the application of Regulation (EU) 2019/787 of the European Parliament and of the Council concerning applications for registration of geographical indications of spirit drinks, the opposition procedure, amendments to product specifications, cancellation of the registration, use of symbol and control (OJ L 270).

ANNEX VI

COMMUNICATING THE APPROVAL OF A STANDARD AMENDMENT (REGULATION (EU) 2019/787)

Important notice: applicants are advised to exclude all personal data (including person's names) and in particular from contact details (such as personal telephone numbers and email addresses). Any personal data submitted in this form will be processed in compliance with Regulation (EU) 2018/1725 of the European Parliament and of the Council ([1]). *For reasons of transparency the name of the sender has to be published. The privacy statement is available on Europa web pages.*

1. **Name of product**

[as published in the *Official Journal*]

2. **Third country to which the geographical area belongs**

…

3. **Sender**

[*Single producer or group of producers having a legitimate interest or authorities of the third country to which the geographical area belongs (see Article 24(8) of Regulation (EU) 2019/787 of the European Parliament and of the Council* ([2]))]

4. **Description of the approved amendment(s)**

[*Provide a description of the standard amendment(s) and a statement explaining why the amendment(s) fall under the definition of standard amendment as provided for in Article 31(3) of Regulation (EU) 2019/787. Add a summary of the reasons for which the amendments are required. Indicate whether the amendment leads or not to an amendment of the single document.*].

5. **Annexes**

5.1. The decision approving the standard amendment

5.2. The proof that the amendment is applicable in the third country

5.3. The consolidated single document, as amended, where relevant

5.4. A copy of the consolidated version of the product specification as published or the reference to the publication of the product specification

([1]) Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

([2]) 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 (OJ L 130, 17.5.2019, p. 1).

ANNEX VII

COMMUNICATING THE APPROVAL OF A TEMPORARY AMENDMENT (REGULATION (EU) 2019/787)

Important notice: applicants are advised to exclude all personal data (including person's names) and in particular from contact details (such as personal telephone numbers and email addresses). Any personal data submitted in this form will be processed in compliance with Regulation (EU) 2018/1725 of the European Parliament and of the Council ([1]). *For reasons of transparency the name of the sender has to be published. The privacy statement is available on Europa web pages.*

1. **Name of product**

[as published in the *Official Journal*]

2. **Third country to which the geographical area belongs**

…

3. **Sender**

[*Single producer or group of producers having a legitimate interest or authorities of the third country to which the geographical area belongs (see Article 24(8) of Regulation (EU) 2019/787 of the European Parliament and of the Council* ([2]))]

4. **Description of the approved amendment(s)**

[*Provide a description of and the specific reasons for the temporary amendment(s) including the reference of the formal recognition of the natural disaster or adverse weather conditions by the competent authorities or of the imposition of obligatory sanitary and phytosanitary measures. Provide also a statement explaining why the amendment(s) fall under the definition of 'temporary amendment' as provided for in Article 31(3) of Regulation (EU) 2019/787*].

5. **Annexes**

5.1. The application of the approved temporary amendment

5.2. The decision approving the temporary amendment

5.3. The proof that the amendment is applicable in the third country

---

([1]) Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

([2]) 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 (OJ L 130, 17.5.2019, p. 1).

ANNEX VIII

CANCELLATION REQUEST (REGULATION (EU) 2019/787)

Important notice: applicants are advised to exclude all personal data (including person's names) and in particular from contact details (such as personal telephone numbers and email addresses). Any personal data submitted in this form will be processed in compliance with Regulation (EU) 2018/1725 of the European Parliament and of the Council ([1]). *For reasons of transparency and in order to allow potential opponents to challenge the requirement of the legitimate interest of the natural or legal person making the cancellation request, the name of that person has to be published. The privacy statement is available on Europa web pages.*

1. **Registered name proposed to be cancelled**

…

2. **Member State or third country to which the geographical area belongs**

…

3. **Natural or legal person, Member State or third country making the cancellation request**

[*Provide name, address, telephone and email address of the natural or legal person or of the producers requesting the cancellation. In case address, telephone and email address concern a natural person, they may not be included in this form and are sent to the Commission separately.*

Provide also a statement explaining the legitimate interest of the natural or legal person requesting the cancellation (not required for national authorities)].

4. **Grounds of cancellation and related reasons**

☐ In accordance with Article 32(1) of Regulation (EU) 2019/787 of the European Parliament and of the Council ([2])

☐ Point (a)

[*Provide the detailed reasons and, where appropriate, evidence for the cancellation of the registration of the name in accordance with point (a) of the first subparagraph of Article 32(1) of Regulation (EU) 2019/787.*]

☐ Point (b)

[*Provide the detailed reasons and, where appropriate, evidence for the cancellation of the registration of the name in accordance with point (b) of the first subparagraph of Article 32(1) of Regulation (EU) 2019/787.*]

☐ In accordance with Article 32(2) of Regulation (EU) 2019/787

[*Provide the detailed reasons and, where appropriate, evidence for the cancellation of the registration of the name in accordance with Article 32(2) of Regulation (EU) 2019/787.*]

5. **List of supporting documentation**

[*Provide the list of the documentation sent to support the cancellation request, where relevant.*

For Member States, please provide the declaration that the request for cancellation meets the requirements of Article 32 of Regulation (EU) 2019/787 and provisions adopted pursuant thereto].

([1]) Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

([2]) 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 (OJ L 130, 17.5.2019, p. 1).

6. **Dated and signed**

_____

[Name]

[Department/Organisation]

[date:]

[signature:]

ANNEX IX

OFFICIAL CERTIFICATE OR LISTING OF PRODUCERS OR PROCESSORS COMPLIANT WITH A PRODUCT SPECIFICATION OF A GEOGRAPHICAL INDICATION (GI) IN THE SECTOR OF SPIRIT DRINKS, PURSUANT TO ARTICLE 12(3) OF COMMISSION IMPLEMENTING REGULATION (EU)2021/1236 ([1])

This document attests that the producer or processor is certified to designate a product as Geographical Indication (GI) protected in accordance with Regulation (EU) 2019/787 of the European Parliament and of the Council ([2])	
1. Protected Geographical Indication (GI) (*) [*GI as entered in the register*]	
2. Spirit drink category (*)	
3. Producer or processor (*) [*business name, contact details and producer number*]	
4. Control body or issuing authority (*) [*business name and contact details*]	
5. Reference [*optional for control body or issuing authority to provide*]	
6. Business of the producer or processor to which the certification applies (*) (‘*production’, ‘processing’, ‘bottling (packaging)’, or ‘other (specify)’ – include all that apply*]	
7. Date of issue of certificate or date on which the listing was drawn up (the listing may be the relevant extract) (*) *[dd.mm.yyyy]*	
8. Signature, seal or mark of the control body or issuing authority (*)	
(*) *obligatory fields*	

([1]) Commission Implementing Regulation (EU) 2021/1236 of 12 May 2021 laying down rules for the application of Regulation (EU) 2019/787 of the European Parliament and of the Council concerning applications for registration of geographical indications of spirit drinks, the opposition procedure, amendments to product specifications, cancellation of the registration, use of symbol and control (OJ L 270).

([2]) 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 (OJ L 130, 17.5.2019, p. 1).