

OTHER ACTS

EUROPEAN COMMISSION

INFORMATION NOTICE — PUBLIC CONSULTATION

Geographical indications from Croatia

(2011/C 116/07)

The accession negotiations between the European Union and the Republic of Croatia, including the Protection of Geographical Indications of wines, aromatised wines and spirits are underway. In this context, the protection in the European Union, as geographical indications, of the names set out below is under consideration.

Including the names requested by Croatia in the Accession Treaty can only take place after carrying out an examination and objection procedure. For these names protection will be granted on the date of accession, limited to a transitional period in which Croatia has to submit the complete files.

The Commission invites any Member State or third country or any natural or legal persons having a legitimate interest, resident or established in a Member State or in a third country, to submit objections to such protection by lodging a duly substantiated statement.

Statements of objection must reach the Commission within two months of the date of this publication. Statements of objection should be sent to the following e-mail address: AGRI-B2@ec.europa.eu

Statements of objection shall be examined only if they are received within the time limit set out above and if they show that the protection of the name proposed would:

1. be wholly or partially homonymous with that of a name already protected in the European Union under Council Regulation (EC) No 1234/2007 ⁽¹⁾ establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation), Council Regulation (EEC) No 1601/91 of 10 June 1991 laying down general rules on the definition, description and presentation of aromatised wines, aromatised wine-based drinks and aromatised wine-product cocktails ⁽²⁾ and Regulation (EC) No 110/2008 of the European Parliament and of the Council ⁽³⁾ on the definition, description, presentation, labelling and protection of geographical indications of spirit drinks; or contained in the agreements the European Union has concluded with the one of the following countries:

— Republic of Albania (Council Decision 2006/580/EC of 12 June 2006 concerning the signing and conclusion of the Interim Agreement on trade and trade-related matters between the European Community, of the one part, and the Republic of Albania, of the other part ⁽⁴⁾ (Protocol 3 on reciprocal preferential concessions for certain wines, the reciprocal recognition, protection and control of wine, spirit drinks and aromatised wine names)),

— Australia (Council Decision 2009/49/EC of 28 November 2008 on the conclusion of the Agreement between the European Community and Australia on trade in wine ⁽⁵⁾),

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 149, 14.6.1991, p. 1.

⁽³⁾ OJ L 39, 13.2.2008, p. 16.

⁽⁴⁾ OJ L 239, 1.9.2006, p. 1.

⁽⁵⁾ OJ L 28, 30.1.2009, p. 1.

- Bosnia and Herzegovina (Council Decision 2008/474/EC of 16 June 2008 concerning the signing and conclusion of the Interim Agreement on trade and trade-related matters between the European Community, of the one part, and Bosnia and Herzegovina, of the other part ⁽¹⁾ (Protocol 6)),
 - Canada (Council Decision 2004/91/EC of 30 July 2003 on the conclusion of the agreement between the European Community and Canada on trade in wines and spirit drinks ⁽²⁾),
 - Republic of Chile (Council Decision 2002/979/EC of 18 November 2002 on the signature and provisional application of certain provisions of an Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part ⁽³⁾),
 - former Yugoslav Republic of Macedonia (Council Decision 2001/916/EC of 3 December 2001 on the conclusion of an Additional Protocol adjusting the trade aspects of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, to take account of the outcome of the negotiations between the parties on reciprocal preferential concessions for certain wines, the reciprocal recognition, protection and control of wine names and the reciprocal recognition, protection and control of designations for spirits and aromatised drinks ⁽⁴⁾),
 - Mexico (Council Decision 97/361/EC of 27 May 1997 concerning the conclusion of an Agreement between the European Community and the United Mexican States on the mutual recognition and protection of designations for spirit drinks ⁽⁵⁾),
 - Montenegro (Council Decision 2007/855/EC of 15 October 2007 concerning the signing and conclusion of the Interim Agreement on trade and trade-related matters between the European Community, of the one part, and the Republic of Montenegro, of the other part ⁽⁶⁾),
 - Serbia (Council Decision 2010/36/EC of 29 April 2008 concerning the signing and conclusion of the Interim Agreement on trade and trade-related matters between the European Community, of the one part, and the Republic of Serbia, of the other part ⁽⁷⁾),
 - South Africa (Council Decision 2002/51/EC of 21 January 2002 on the conclusion of an Agreement between the European Community and the Republic of South Africa on trade in wine ⁽⁸⁾ and Council Decision 2002/52/EC of 21 January 2002 on the conclusion of an Agreement between the European Community and the Republic of South Africa on trade in spirits ⁽⁹⁾),
 - Switzerland (Decision 2002/309/EC, Euratom of the Council and of the Commission as regards the Agreement on Scientific and Technological Cooperation, of 4 April 2002 on the conclusion of seven Agreements with the Swiss Confederation ⁽¹⁰⁾, and in particular the Agreement between the European Community and the Swiss Federation on trade in agricultural products — Annex 7 and Annex 8),
 - United States of America (Council Decision 2006/232/EC of 20 December 2005 on the conclusion of the Agreement between the European Community and the United States of America on trade in wine ⁽¹¹⁾);
2. in the light of a trademark's reputation and renown and the length of time it has been used, be liable to mislead the consumer as to the true identity of the product.

The criteria referred to above shall be evaluated in relation to the territory of the European Union, which in the case of intellectual property rights refers only to the territory or territories where the said rights are protected. The eventual protection of these names in the European Union is subject to the successful conclusion of these negotiations and subsequent legal act.

⁽¹⁾ OJ L 169, 30.6.2008, p. 10.

⁽²⁾ OJ L 35, 6.2.2004, p. 1.

⁽³⁾ OJ L 352, 30.12.2002, p. 1.

⁽⁴⁾ OJ L 342, 27.12.2001, p. 6.

⁽⁵⁾ OJ L 152, 11.6.1997, p. 15.

⁽⁶⁾ OJ L 345, 28.12.2007, p. 1.

⁽⁷⁾ OJ L 28, 30.1.2010, p. 1.

⁽⁸⁾ OJ L 28, 30.1.2002, p. 3.

⁽⁹⁾ OJ L 28, 30.1.2002, p. 112.

⁽¹⁰⁾ OJ L 114, 30.4.2002, p. 1.

⁽¹¹⁾ OJ L 87, 24.3.2006, p. 1.

List of geographical indications for wines, aromatised wines and spirits ⁽¹⁾

Class of product	Name as registered in Croatia
Wine	Dalmatinska zagora
Wine	Dingač
Wine	Hrvatsko primorje
Wine	Istočna kontinentalna Hrvatska
Wine	Hrvatska Istra
Wine	Moslavina
Wine	Plešivica
Wine	Podunavlje
Wine	Pokuplje
Wine	Prigorje-Bilogora
Wine	Primorska Hrvatska
Wine	Sjeverna Dalmacija
Wine	Slavonija
Wine	Srednja i Južna Dalmacija
Wine	Zagorje – Međimurje
Wine	Zapadna kontinentalna Hrvatska
Aromatised wine	Samoborski Bermet
Spirit	Hrvatska loza
Spirit	Hrvatska travarica
Spirit	Hrvatska stara šljivovica
Spirit	Slavonska šljivovica
Spirit	Pelinkovac
Spirit	Zadarski maraschino

⁽¹⁾ List as provided for by the Authorities of the Republic of Croatia. Based on the Ordinance on wine GIs published in OG 141/10 and OG 31/11, on aromatised wines in OG 14/11 and spirits in OG 61/09 and 141/09.