



C/2024/6855

13.11.2024

**Publication of an application for the cancellation of the traditional term ‘Vino de pago calificado’ pursuant to Commission Delegated Regulation (EU) 2019/33 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, restrictions of use, amendments to product specifications, cancellation of protection, and labelling and presentation**

(C/2024/6855)

Within 2 months from the date of this publication, the authorities of a Member State or of a third country, or a natural or legal person having a legitimate interest, may lodge, in accordance with Article 30 of Delegated Regulation (EU) 2019/33 <sup>(1)</sup>, an objection with the Commission.

CANCELLATION REQUEST CONCERNING THE TRADITIONAL TERM

**‘Vino de pago calificado’**

Date of receipt: 1 April 2024

Number of pages (including this page): 3

Language of the request of cancellation: Spanish

File number: Ares(2024)2402098

Traditional term for which the cancellation is requested: Vino de pago calificado

Author of the cancellation request:

Name of the legal or natural person requesting the cancellation:

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Legitimate interest of the author of the request:

The applicant is the Spanish competent authority of the General State Administration.

Grounds for cancellation:

- Article 27 of Delegated Regulation (\*)
- Article 32(2) of Delegated Regulation (\*)
- Article 33(1) of Delegated Regulation (\*)
- Article 33(2) of Delegated Regulation (\*)

(<sup>1</sup>) OJ L 9, 11.1.2019, p. 2, ELI: [http://data.europa.eu/eli/reg\\_del/2019/33/oj](http://data.europa.eu/eli/reg_del/2019/33/oj).

— Article 36(b) of Delegated Regulation (\*)

[(\*) delete as appropriate]

Explanation of ground(s) for cancellation:

*[Provide duly substantiated reasons and justification, details of the facts, evidence and comments in support of the cancellation. Provide the necessary documents in case of a cancellation based on the existence of an earlier trademark of reputation and renown].*

The reason for the cancellation is because this traditional term does not fulfil the condition of validity provided for in Article 27(1)(d) of Delegated Regulation (EU) 2019/33 as it is not a name 'defined and regulated in the Member State's legislation'.

The traditional term 'Vino de pago calificado' was governed in Spain by Law No 24/2003 of 10 July 2003, on Vines and Wine (<https://www.boe.es/boe/dias/2003/07/11/pdfs/A27165-27179.pdf>). This was included in Article 24.2 of the same law. However, this law has been replaced in this respect by Law No 6/2015 of 12 May 2015, currently in force, on protected designations of origin and geographical indications at supra-Autonomous-Community level which, in its Third Additional Provision, does not cover the traditional term 'Vino de pago calificado' (<https://www.boe.es/buscar/pdf/2015/BOE-A-2015-5288-consolidado.pdf>).

The Spanish authorities decided to delete it from the national rules because it had never been used.

DIRECTOR-GENERAL FOR FOOD

Signed

  

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