

## **GUIDE FOR CONTROL OF REGISTRATION OF NAMES FOR FOODSTUFFS**

### **Description of scheme for protection of names**

The scheme for the protection of names of agricultural products and foodstuffs has been in force in the area of the European Community since 1993. The purpose of the scheme is to protect foodstuffs and agricultural products against misuse of the established name.

The protection of the name (registration of the name) usually applies to products that are distinguishable by their characteristics from comparable foods manufactured elsewhere, or have been traditionally manufactured or produced in a certain area or by a certain manufacturing method for several generations.

Only several producers together or an association or organisation that represents them may apply for the registration of the name. Individual producers cannot apply for the protection of their product, except in special cases.

The registration of the name is a two-phase process consisting of a national procedure and a review at Community level. The application is submitted to the Agency for Rural Affairs for a national review procedure, and the Agency issues a decision on the matter based on the review. The application is then forwarded to the Commission, which conducts the Community-level review and registers the designation.

The names of more than 1300 products have so far been registered in the area of EU. The largest group of registered products consists of cheeses, followed by fruit and vegetables, meat and meat based products, as well as olive oils. Some of the registered names are only known on national level, while others are known all over the world. However, they are all renowned products of high significance, at least in their own area. France and Italy have the highest number of registered product names. Portugal, Spain and Greece are next in the list. All these countries have long traditions in national protection of their local foodstuffs, already prior to the adoption of the EU schemes for protection of names.

Registered names may only be used on the conditions presented in the product specifications included in the applications for the registration of the protected products. The product specification can be updated later, if the party applying for the registration of the name wishes to provide more detailed data or to change the specification in some parts.

The operator shall for purposes of pre-inspection submit a notification indicating the name and the manufacturing location of the registered product to the competent food control authority before the introduction of the product on the market. For products with a registered name that were already on the market at the beginning of the year 2015 such a notification had to be submitted by the end of 2015.

### **Regulations pertaining to registration of names**

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- Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:343:0001:0029:EN:PDF>
- Commission Implementing Regulation (EU) No 668/2014 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: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014R0668&qid=1523945698912&from=FI>
- Food Act 23/2006, Sections 9, 54 d and 54 e: <http://www.finlex.fi/fi/laki/ajantasa/2006/20060023>
- Decree 1153/2014 of the Ministry of Agriculture and Forestry on the registration of products with a protected name and on the notification of the manufacture of a registered name-protected product: <https://www.finlex.fi/fi/laki/alkup/2014/20141153>
- Commission Communication – Guidelines on the labelling of foodstuffs using protected designations of origin (PDOs) or protected geographical indications (PGIs) as ingredients (2010/C 341/03): <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:341:0003:0004:en:PDF>

### Schemes for protection of names

There are three different protection systems. Two of them, protected designation of origin (**PDO**) and protected geographical indication (**PGI**), delimitate the manufacture and/or production of the product to its traditional geographical area. The third protection scheme, traditional speciality guaranteed (**TSG**), on the other hand, protects the traditional manufacturing method and ingredients of the product.



#### 1. Protected designation of origin (PDO)

The production, processing and handling of the product shall take place within a certain geographical area. The quality or the characteristics of the product are essentially due to the geographical area, for example a raw material produced in the area.

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Finnish products with a protected designation of origin include Lapin Puikula – potato from Lapland (1997), Lapin Poron liha – reindeer meat from Lapland (2009), Lapin Poron kuivaliha – dried reindeer meat from Lapland (2010), Lapin Poron kylmäsavuliha – cold-smoked reindeer meat from Lapland (2011) and Kitkan viisas – vendace caught in the lakes of the Koillismaa highlands (2013).

Examples of European products: Parmigiano Reggiano – cheese (Italy), Danablu cheese (Denmark), Feta cheese (Greece), Roquefort cheese (France), Gorgonzola cheese (Italy), Prosciutto di Parma – Parma ham (Italy), Prosciutto di Carpegna – Carpegna ham (Italy), Prosciutto di Modena – Modena ham (Italy), Pistacchio verde di Bronte – pistachio nuts (Italy), Huile d'olive de Nice – Nice olive oil (France), Modena traditional balsamic vinegar (Italy).



## 2. Protected geographical indication (PGI)

At least one of the following phases: production, processing, or handling must take place within a certain geographical area, and the quality, reputation or other characteristics of the product must be attributable to this area. Some of the raw material for the product can be acquired from outside the area.

Kainuun rönttönen – rye crust pie with lingonberries (2008) and Lake Puruvesi vendace (2013) are Finnish products with protected geographical indication.

Examples of European products: Navarra asparagus (Spain), Ardennes ham (Belgium), Schwarzwald ham (Germany), Connemara Hill lamb (Ireland), Steirisches Kurbiskeröl – pumpkin seed oil (Austria), Aachen gingerbread (Germany), Lübeck marzipan (Germany).



### **3. Traditional speciality guaranteed (TSG)**

The traditional speciality guaranteed (TSG) protection does not refer to the origin of the product, but emphasises the traditional composition or production method of the product. A product with TSG status can be manufactured anywhere within the EU area, but the product must be manufactured according to the registered manufacturing method using the raw materials indicated in the product specification.

Finnish products with TSG include Sahti beer (2002), Kalakukko – fish and pork pie (2002) and Karjalanpiirakka – Karelian pasty (2003).

Examples of European products: Mozzarella cheese, Falun sausage (Falukorv), Serrano ham (Jamón serrano).

#### **List of products with registered names**

An up-to-date list of products with a registered name is provided in the DOOR database on the EU web site: <http://ec.europa.eu/agriculture/quality/door/list.html>

The list contains

- registered products
- products for which the application for registration has been published (member states can lodge objections to the Commission within six months)
- products for which the application for registration has not yet been published

Products can be searched from the list by country, product class, registered name or the name shown in the application (products that have not yet been registered).

The product specifications, which describe the manufacturing method and other factors contributing to the specific character of the products, can also be found from this link. If a link is provided at the end of the product specification to the actual accepted application, or the application is available elsewhere, it shall be used in control activities.

## **Control of registered products**

The use of registered names and the conditions of registration are controlled by the Finnish Food Safety Authority and the other authorities referred to in the Food Act (23/2006), and as far as alcoholic beverages are concerned, by the National Supervisory Authority for Welfare and Health Valvira.

These authorities are responsible for the control of the obligations related to name registration in compliance with the Control Regulation (882/2004/EC).

Factors to which particular attention should be paid in the control of name registration are presented in the next Section.

## **Control of products with protected designation of origin (PDO) and protected geographical indication (PGI)**

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**Finnish products**

In the execution of control, it shall particularly be verified that these products, which are registered in Finland and the compliance of which with the specification can be influenced, fulfil the requirements of the specifications with respect to product description, geographical area, proof of origin and production method.

**Lapin Puikula – potato from Lapland (PDO)**

It shall be verified that potatoes marketed as Lapin Puikula have been produced and packaged in Lapland and represents the variety in question.

The protection only applies to the designation Lapin Puikula, which means that potatoes referred to as just Puikula can be produced and packaged also elsewhere than in Lapland.

**Lapin Poron liha – reindeer meat from Lapland (PDO)**

It shall be verified that reindeer meat marketed as Lapin Poron liha has been produced, cut and packaged in the Finnish reindeer husbandry area. Under the Finnish Reindeer Husbandry Act (No 848/1990), the area includes the former Province of Lapland (excluding the cities of Kemi and Tornio and the municipality of Keminmaa), the municipalities of Hyrynsalmi, Kuivaniemi, Kuusamo, Pudasjärvi, Suomussalmi, Taivalkoski and Yli-Ii in the former Province of Oulu and the areas North of the River Kiiminkijoki and the Puolanka-Hyrynsalmi road in the municipalities of Puolanka, Utajärvi and Yli-Iiminki. Reindeer meat is sold under the name of Lapin Poron liha in whole, half and quarter carcasses or cut into carcass and muscle parts. A more detailed description is provided in specification <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:019:0022:0026:EN:PDF>

The registration only applies to the designation Lapin Poron liha.

**Lapin Poron kuivaliha – dried reindeer meat from Lapland (PDO)**

Lapin Poron kuivaliha (dried Lapland reindeer meat) is made from whole muscle and pieces of muscle. The finished products are differently shaped pieces or slices, 1-5 cm thick and 10-20 cm long. The weight ranges from one hundred to a few hundred grams. Lapin Poron kuivaliha is produced, processed and packed in the Finnish reindeer husbandry area. A more detailed description is provided in specification <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:042:0012:0015:EN:PDF>

The registration only applies to the designation Lapin Poron kuivaliha.

**Lapin Poron kylmäsavuliha – cold-smoked reindeer meat from Lapland (PDO)**

Lapin Poron kylmäsavuliha (cold-smoked Lapland reindeer meat) is made from whole muscle and pieces of muscle. The maturation of Lapin Poron kylmäsavuliha takes about a week and it is done by smoking and evaporation in cold-smoking rooms or cabinets. The smoke is formed by slow-burning alder, birch or juniper chips. Lapin Poron kylmäsavuliha is produced, processed and packed in the Finnish reindeer husbandry area. A more detailed description of the product is provided in specification <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:225:0012:0015:EN:PDF>

The protection only applies to the designation Lapin Poron kylmäsavuliha.

**Kitkan viisas – vendace caught in the lakes of the Koillismaa highlands (PDO)**

The name Kitkan viisas is used for vendace caught in the lakes of the Koillismaa highlands, specially characterised by the soft backbone. A more detailed description is provided in specification: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:136:0013:0015:EN:PDF>

The fish must be caught in the defined geographical area. To guarantee quality, preliminary processing must also take place in the same defined geographical area. Preliminary processing involves cleaning and freezing the fish. Kitkan viisas are distinguished from other vendace by their smaller size and soft backbone.

**Kainuun rönttönen – rye crust pie with lingonberries (PGI)**

It shall be verified through control that the product has been manufactured in accordance with the manufacturing method described in the specification, and the manufacturer's place of production is located in Kainuu Region. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:074:0072:0075:EN:PDF>

**Puruveden muikku – Lake Puruvesi vendace (PGI)**

The name Puruveden muikku is used for vendace (*Voreganus albula*) caught in the Puruvesi lake basin situated in the north-eastern part of Lake Saimaa. It is noticeably more silver in colour compared to other vendace.

Lake Puruvesi vendace must be caught in the defined geographical area. The permitted catching methods are seine nets, fyke nets and net fishing. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2013:140:0017:0019:EN:PDF>

**Products registered elsewhere in EU (PDO and PGI)**

It shall be verified through control that products registered in other countries are not manufactured in Finland. This primarily concerns cheeses; e.g. Parmigiano Reggiano cheese, Danablu cheese, Feta cheese, Roquefort cheese, Gorgonzola cheese. Any discrepancies between the name of the product and the indicated or probable manufacturing location shall also be addressed in the control procedure.

Other products may not be accompanied by reference to a protected name or expressions such as: "style", "type", "method", "as produced in" or "imitation". In other words, "Feta cheese type cheese" is not a permitted name for a foodstuff, but the name must be formed according to e.g. the purpose of use, such as "salad cheese".

The restrictions related to the processing (cutting, grating and packaging) of cheeses with PDO shall be checked from the specification of the product in question. The cutting of the Parmigiano Reggiano cheese, for example, was initially forbidden outside the manufacturing area, but is now permitted.

**Control of products with traditional speciality guaranteed (TSG)****Karjalanpiirakka – Karelian pasty**

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It shall be verified through control that the product is manufactured in accordance with the manufacturing method presented in the registration application: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2002:102:0014:0015:EN:PDF>

Only the raw materials presented in the application may be used in the preparation of Karelian pasty and the method of preparation must meet the requirements of the registration application in all respects. A pasty that fails to meet the requirements of the product specification shall be referred to by another name, such as "riisipiirakka" (rice pasty).

### **Kalakukko – fish and pork pie**

It shall be verified through control that the product is manufactured in accordance with the manufacturing method presented in the registration application: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2001:235:0012:0014:EN:PDF>

The protection only applies to the name Kalakukko, not to names "muikkukukko" (vendace pie), "ahvenkukko" (perch pie), "lanttukukko" (rutabaga pie), etc.

## **EU symbols and their use**

As of 4 January 2016, the use of a symbol indicating that the name is registered has been mandatory with products introduced on the market. Verbal indications ("protected designation of origin", "protected geographical indication", "traditional speciality guaranteed") are still permitted, but not mandatory.

Annex X to Commission Regulation (EU) No 668/2014 provides in more detail (colours, size, fonts) for PDO and PGI symbols: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014R0668&qid=1523947438785&from=FI>

All the symbols are shown in printable quality at [http://ec.europa.eu/agriculture/quality/schemes/logos/index\\_en.htm](http://ec.europa.eu/agriculture/quality/schemes/logos/index_en.htm)

### **Use of EU name registration scheme symbol with foodstuffs containing a registered ingredient**

When a product with a registered name is incorporated as an ingredient in a foodstuff or used as a raw material in a dish served in a restaurant, the name registration symbol must be used in connection with the name of the foodstuff on the following conditions:

- the ingredient with a registered name is used in sufficient quantities to confer an essential characteristic on the foodstuff or dish concerned
- the foodstuff or dish does not contain any comparable ingredient that would falsely benefit from the name of the registered ingredient (e.g. a food stuff that contains both "Lapin Poron liha" and other reindeer meat)
- it is recommended that the percentage of the registered product is indicated in connection with the name of the foodstuff or dish

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- it is clearly indicated for the foodstuff or dish that it is not itself a registered product, but only contains one as an ingredient

The labelling of processed foods must bear the symbol of a registered name, if its ingredient is referred to by the registered form of its name. In order to avoid the consumer being misled as to the registration of the name of the food as a whole, the registered name in question shall be shown in connection with the symbol.

In restaurant menus, it is possible to allow, due to restrictions of space, a method of presentation where the name of the dish is followed by e.g. an asterisk, and the explanation "(Registered name) used in the dish" and the symbol of a registered name are provided at the bottom of the menu.

The symbol of a registered name should not be presented on the restaurant door or the cover of the menu. This could give the impression that all the dishes served in the restaurant or listed in the menu are dishes with a registered name.

This is discussed in more detail in the Communication of the EU Commission:  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:341:0003:0004:en:PDF>

### **Actions**

If misuse of protected designations is found through control, the authorities shall order the designations to be corrected within a short time limit (Food Act (23/2006), Section 55).