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The EU's Traditional Specialties Guaranteed Quality Scheme Explained

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Report Highlights:

A reform of the EU's quality labeling schemes entered into force on January 3, 2013. Regulation 1151/2012 sets out rules on the EU's quality labeling schemes "Protected Designation of Origin" (PDO), "Protected Geographic Indication" (PGI), and "Traditional Specialties Guaranteed" (TSG). This regulation introduces a new TSG scheme that guarantees better protection of registered names. As "Mozarella" is one of the registered names under the old TSG scheme, the "better protection" aspect of the new scheme raised some concerns. This report explains how the new TSG scheme works compared to the old one.

The European Union’s “Traditional Specialties Guaranteed” (TSG) Quality Scheme Explained The EU’S Quality Labeling Schemes

On January 3, 2013, a reform of the EU’s quality labeling schemes entered into force. [European Parliament and Council Regulation 1151/2012](#) combines the three EU-wide quality labeling schemes for which rules were set out in separate pieces of legislation into a single legal instrument. It covers the “Protected Designation of Origin” (PDO) scheme, the “Protected Geographical Indication” (PGI) scheme, and the “Traditional Specialties Guaranteed” (TSG) scheme. The PDO label is used on products produced, processed AND prepared in a defined geographical area such as, for example, “Prosciutto di Parma”. The PGI label may be used on products for which at least one production stage takes place in a defined geographical area such as, for example, “Gouda Holland”. The TSG label may be used to communicate the value-added characteristics of traditional recipes and traditional production methods to consumers such as, for example “Jamón Serrano”. Unlike the PDO and PGI schemes, the geographical origin of a product is irrelevant under the TSG scheme. A TSG is similar to a marketing standard but with stronger protection.

The European Commission initially proposed to abolish the TSG scheme because it was too complex and therefore not very successful. The European Parliament and Council, however, decided to introduce a TSG scheme that would guarantee better protection of registered names. As “Mozzarella” is one of the registered names under the old TSG scheme, the “better protection” aspect of the new TSG scheme raised some concerns. This report explains how the revamped TSG scheme works compared to the old one set out in [Council Regulation 509/2006](#).

Old TSG Scheme

Under the old TSG scheme, producers could apply for a TSG registration with or without name reservation. Only products complying with the specifications of the reserved name could carry the EU TSG logo. For example, [Commission Regulation 2527/98](#) announced the registration of “Mozzarella” cheese as a TSG without name reservation. The preamble of this regulation clarifies that this registration “does not prevent the continued use of this name in accordance with a specification other than that which is protected.” [Commission Regulation 2301/97](#) announced the registration of “Vieille Kriek” (a type of cherry beer) with name reservation. Thus, only beers complying with the specification set out in this regulation can use the name “Vieille Kriek” and carry the EU TSG logo.

New TSG Scheme

Under the new TSG scheme, the registration of a TSG without name reservation is no longer possible. A proven usage of at least 30 years in a domestic market is needed to qualify for registration. Only products complying with the TSG specification can use the registered name. Products already registered with name reservation under the old scheme will be automatically transferred to the new TSG register. For products registered without name reservation, the relevant Member State has to request a status change before January 4, 2016 but the product names may continue to be used until January 4, 2023. Product names for which no transfer request is submitted will be deleted from the TSG register. Producers who want to modify the specifications of a TSG registered under the old scheme have to

submit a new application.

Opposition Procedure

Before submitting a request to change the status of a TSG from non-reserved to reserved, the relevant Member State (MS) must initiate a national opposition procedure (Art. 49.3-4). The MS then assesses any opposition received and, if appropriate, takes a favorable decision and submits an application dossier to the European Commission. The MS must ensure that its favorable decision is made public to ensure that any stakeholder has an opportunity to appeal.

What will happen to the “Mozzarella” TSG?

Mozzarella was registered under the old TSG scheme without name reservation. If Italy wants to apply for name reservation, it will need to initiate the opposition procedure described above. According to a European Commission official, it is extremely unlikely that such an application would survive the opposition procedure as mozzarella that does not comply with the TSG specification is produced by several other Member States. Additionally, the administrative costs related to compliance with the TSG rules often outweigh the economic benefits which, according to the same Commission official, make it even uncertain that Italy will apply for name reservation.