

WORKING DOCUMENT (JULY 2012)

Disclaimer: This working document was prepared by the services of DG Agriculture and Rural Development for discussion purposes. This document is available in English only.

The final compromise on the proposal for a Regulation of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs, establishes the optional quality term "Mountain Product".

"Article 28a

Mountain Product

1. *The term 'mountain product' is established as an optional quality term.*

This term shall only be used to describe products intended for human consumption listed in Annex I to the Treaty in respect of which:

- (a) *the raw materials and also the feedstuffs for farm animals, come essentially from mountain areas.*
 - (b) *in the case of processed products, the processing also takes place in mountain areas.*
2. *For the purposes of this Article, mountain areas within the European Union are those delimited pursuant to Article 18(1) of Regulation (EC) No 1257/1999. For product of third countries, mountain areas include areas officially designated as mountain areas by the third country or that meet equivalent criteria to those set out in Article 18(1) of Regulation (EC) No 1257/1999.*
3. *In duly justified cases and in order to take into account natural constraints affecting agricultural production in mountain areas, the Commission shall be empowered to adopt delegated acts in accordance with Article 52, laying down derogations from the conditions of use referred to in paragraph 1. In particular, the Commission shall be empowered to adopt a delegated act laying down the conditions under which raw materials or feedstuffs are permitted to come from outside the mountain areas, the conditions under which the processing of products is permitted to take place outside of the mountain areas in a geographical area to be defined, and the definition of that geographical area.*
4. *In order to take into account natural constraints affecting agricultural production in mountain areas, the Commission shall be empowered to adopt delegated acts in accordance with Article 52, concerning the establishment of the methods of*

production, and other criteria relevant for the application of the optional quality term established in paragraph 1."

We are currently reflecting on the practical aspects regarding the use of the term and would appreciate to have your input on the following topics no later than the 15th September 2012 to the following address: agri-H2@ec.europa.eu

QUESTIONS:

1. Would the definition laid down in paragraph 1 of Article 28a jeopardise existing names, labels or products? If yes, could you please provide concrete examples that you are aware of?
2. Would it be necessary to foresee derogations from the general definition, regarding the sourcing of the raw materials, the sourcing of feedstuffs or the processing of product, outside the mountain area? If yes, could you precise the kind of derogations that may be contemplated.
3. Should this definition be completed with elements establishing the production method, and other criteria relevant for the application of the optional quality term "mountain product"? If yes, which would be these elements and criteria?

Thank you in advance for your contribution and prompt reply to this request.