

A stylized map of Europe in light purple is the background. Overlaid on the map are several thick, curved, semi-transparent lines in green, orange, blue, and red, which appear to represent regional boundaries or movement paths. The text is centered over the map.

AREPO Working group on Regional Quality Schemes

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EU legal framework

Regional/territorial brands are considered as **voluntary certification schemes**

No binding EU regulation only EC Communication — *EU best practice guidelines for voluntary certification schemes for agricultural products and foodstuffs* ([2010/C 341/04](#))

These guidelines are designed to describe the **existing legal framework** and to help improving the **transparency, credibility and effectiveness** of voluntary certification schemes and ensuring that **they do not conflict with regulatory requirements.**

Main objectives:

- avoid consumer confusion;
- reduce the administrative and financial burden;
- ensure compliance with EU internal market rules and principles on certification.

EU legal framework

- **RULES ON THE INTERNAL MARKET: freedom of establishment and freedom to provide services** (no unjustified restrictions when establishing in another Member State or providing the services across the borders). Certification schemes **must also not result in de facto barriers to trade in goods in the internal market.**
- **RULES ON COMPETITION:** Certification schemes must not lead to anticompetitive behaviour
- **CONSUMER INFORMATION AND LABELLING REQUIREMENTS:** labelling, advertising and presentation of food must not be such as it could mislead a consumer to a material degree

EU legal framework: EU best practice guidelines

- **RULES ON STATE INVOLVEMENT IN SCHEMES:** Certification schemes supported by public bodies, such as regional or national authorities, **must not lead to restrictions based on the national origin of producers or otherwise impede the single market.**

According to Directive (EU) 2015/1535 **Member States must inform the Commission of any draft technical regulation** (including national/regional certifications) prior to its adoption

The notification is a tool for information, **prevention and dialogue in the field of technical regulations** on products and Information Society services.

Introduction

- In the last two decades we witnessed to a substantial **growth in regional and territorial brands**
- Need to meet consumer's increasing demands concerning food quality, impact on environmental and health as well as interest in local products
- Important **strategy of valorisation** of regional production
- AREPO realised a study to monitor this expansion
 - Try to better understand our member regions strategies of valorisation of regional products;
 - Analyse the **interaction** between regional brands and **GIs**;
 - Identify **existing legal problems** linked to regional brands;
 - **Disseminate best practices** and share information among our member regions.

Limits of previous AREPO studies

- It is an **inventory** made to have a picture of the situation within AREPO member regions
- **Lack of a common definition** of regional brand: the term could cause confusion on the subject of analysis
- In fact, the inventory includes **both public quality schemes** and **private regional/territorial brands**

1. Introduction to the survey methodology

Study carried out in **2013 and updated in 2018** - analysis of **qualitative questionnaires** sent to AREPO regions.

- **In 2018: 20 regions** responded to the questionnaire, for a total of **26 regional and territorial brands analysed**

- **Portugal:** 1 region, **2 brands**
- **Spain:** 4 regions, **6 brands**
- **Germany:** 1 region, **2 brands**
- **France:** 5 regions, **11 brands**
- **Greece:** 3 regions, **3 brands**
- **Italy:** 4 regions, **4 brands**

Year of creation
Specifies requirements
Product families in the brand
Number of references in the brand
Origin of products
Certification & Traceability
Sanctions
Involvement of the region
Brand ownership and management
Logo
Collective promotional activities
Possible legal problems encountered

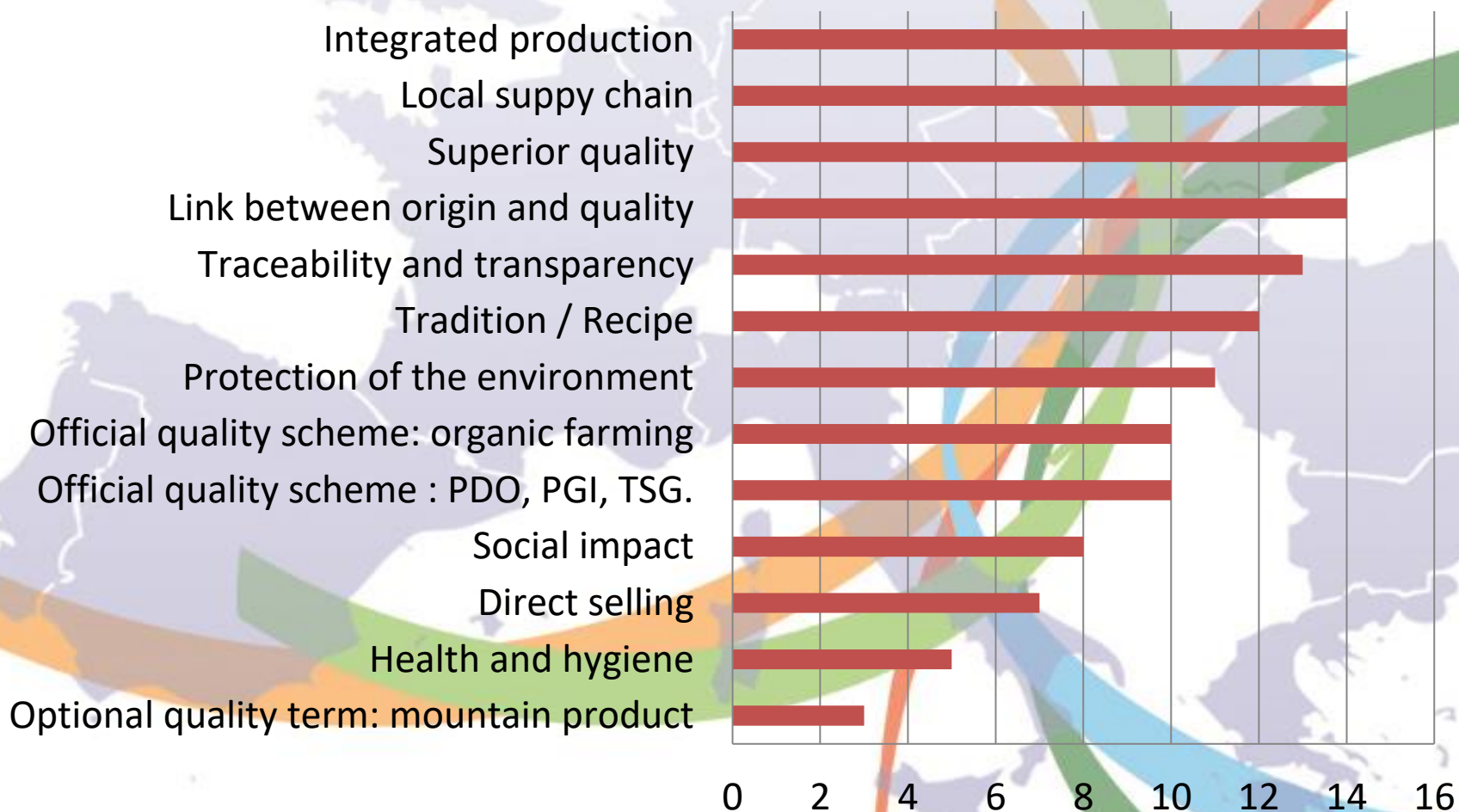
2. Analysis of the main results

These brands fulfil one or more of the following **objectives**:

- **Economic and social development**: maintain employment and added value in the territory, improve local value chains cooperation, support small farmers, encourage local consumption / short food supply chains, marketing tool for producers
- **Promotion and valorisation** of regional and even emblematic products (GI and/or high quality products), of the territory, regional know-how, tourism and gastronomy
- **Guarantee of quality, origin and provenance** of the raw material and / or the final product
- **Positive impact on the environment**

2. Analysis of the main results

SPECIFIED REQUIEREMENTS



2. Analysis of the main results

PRODUCT FAMILIES

- The brands analysed cover a wide range of **product families**. Most of them relate to agricultural and processed products.
- Some include **services** (Valle d'Aosta) and **non-agricultural products** (Azores "Marca Açores", Bretagne).
- Only the brand "Lacticinios dos Açores" is specifically focused on dairy products.

2. Analysis of the main results

ORIGIN OF PRODUCTS

- In most of the cases, **exclusively regional** and derogation exists only for processed products (specific rules on ingredients and raw materials and transformation).
- For 5 brands the origin is **from the EU / not limited to regional origin (Italian Regions + Catalonia)**.
- Finally, for 2 Spanish brands (Navarra and Andalucía) and for German brands the origin of products can be both exclusively regional and from the EU for the other products (different logo for German brands).

2. Analysis of the main results

COEXISTENCE AND INTERACTION WITH GIs

- Only a **few brand include regional GIs** (ex. Tierra de Sabor, Crete Land of Values, GQ, Eusko Label, Very Macedonia, La Région du Goût)
- Some cases highlighted **coexistence problems** between the regional brand and existing GIs due to the same geographic name
- German regions explicitly present GIs and regional brands as a **two elements of their strategy of valorisation of their regional productions**

2. Analysis of the main results

CERTIFICATION AND TRACEABILITY SYSTEM

	CERTIFICATION	No CERTIFICATION
Traceability system	Brittany; Bavaria; Hesse (GQ and BIO); Crete; Emilia-Romagna; Marche; Tuscany; Veneto; Andalusia; Catalonia(1); Navarre; Basque Autonomous Community	Sud-Ouest France (only for organic products); Valle d'Aosta; Catalonia(2)
No traceability system	Occiténie; Azores (2)	Azores (1)

Note: Catalonia (1) = Agri-food quality mark; (2) = Proximity sales.
Azores (1) = Azores brand; Azores (2) Lacticínios dos Açores.

2. Analysis of the main results

INVOLVEMENT OF THE REGIONS

- In **most cases, the region owns the brand and manages it.**
- In contrast, in the other cases the brands are **managed by external private bodies.**
- As owner and manager of the brand, the region has **several functions:**
 - Definition of product specifications and rules
 - Financial support
 - Monitoring
 - Promotion
 - Training for interested producers

2. Analysis of the main results

COMMUNICATION AND PROMOTION

- All brands have a **website** and some have also social media presence
- Almost all regions have organised **collective promotional activities** (organised directly by the region, or by an external agency)
 - Direct advertising for the general public
 - Specialised events (for producers)
- Some brands are even part of a **territorial marketing strategy** and try to bring the whole territory behind the brand (promotion of regional **tourism**)

2. Analysis of the main results

LOGO

- **In terms of logo, all brands require** the use of the logo on the product (**except for the Valle d'Aosta** region brand which also includes services and tourism).
- **The logo is generally used for other types of media**, such as advertising, in collective promotional activities, in promotional documents and materials and for institutional and corporate communication strategies.
- Some go further and use the logo to identify **touristic points** (3), **consumption points** such as restaurants (6) or **points of sale and stores** (13) which are of course linked to the brand.
- A third of the brands use **different graphic versions of the logo** corresponding to the **different criteria**:
 - percentage of production in the territory (La Région du Goût),
 - a precise distinction of origin (GQ Bayern Bio, Signé Poitou-Charentes),
 - categorization of products (Eusko Label)

3. Observations and problems

LEGAL PROBLEMS FACED

- From the EU's point of view, regional brands can be considered as potential non-tariff trade barrier
 - **Emilia-Romagna:** first trademark (1992) not compatible with EU law because of the name referring to a defined geographical area ("QC - integrated production with respect for the environment and health - Emilia-Romagna Italy"). The legal problem has been solved by replacing the geographical indication with the name of the regional law.
 - **Euskadi:** the trademark has faced a possible infringement of EU law because it had initially been considered as a non-tariff restriction on imports.
 - German Regions face problem in **justifying public financing** (EU state aid regulation).
- **Problems of coexistence with GIs** with the same geographical name (especially in France).
- Opposition from the national government.
- **Catalonia** has a problem of usurpation and imitation of the "*Marca de qualitat agroalimentària*" (*agri-food quality mark*).

Most of the regional trademarks do not seem to face legal problems. In contrast, some Regions have successfully completed the notification and the marks have been approved by the European Commission.

4. Conclusions

- The analysis has revealed the existence of a wide range of regional brands that differ in typology and characteristics.
- The brands analysed try to satisfy consumer demand for more transparency and also for quality products, with a low environmental impact and/or produced locally.
- All brands **certify superior quality** but they can be distinguished into two categories:
 - a) **Relationship between origin and quality** (majority);
 - b) **Superior quality** and specific farming systems, such as integrated production and organic production.
- Legal problems faced when brand certifies regional origin:
 - it could be considered a **de facto barrier to trade**;
 - Potential **conflicts with GIs** with the same geographical name.

4. Conclusions

- Nevertheless, the objective of regional brands is not to replace GIs, but to **coexist and interact** with them (in some cases they are part of brand, in other dual strategy)
- We recognise regional **brand as an important part of valorisation strategy of our regions** and we support the demand to maintain **EU funding** (rural development measures).

What to do next?

- Considering the diversity of regional brands, it would be **important to start working on a common definition and criteria.**
- We should focus our work on **public regional quality schemes.**
- Study update should take into account:
 - Need to better diversify between public regional quality schemes and private territorial/regional brands
 - Analysis of national policy and regulations on regional quality schemes
 - Have these schemes been notified to the EC?
 - Does these schemes receive public funding through the CAP rural development measures?



AREPO

ASSOCIATION OF
EUROPEAN REGIONS
OF PRODUCE OF ORIGIN

Thank you for your attention!

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