

PUBLISHED REPLACEMENT EU ACT INITIAL ASSESSMENT OF IMPACT

DSC REF: DSC/03/2024

Published Replacement EU Act

Regulation (EU) 2024/1143 of the European Parliament and of the Council of 11 April 2024 on geographical indications for wine, spirit drinks and agricultural products, as well as traditional specialities guaranteed and optional quality terms for agricultural products, amending Regulations (EU) No 1308/2013, (EU) 2019/787 and (EU) 2019/1753 and repealing Regulation (EU) No 1151/2012; [OJ L 2024/1143](#), 23.04.2024.

This Regulation replaces Regulation (EU) 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs. Windsor Framework, Annex 2, Heading 45 on Intellectual Property provisions.

Summary of the Act

Geographical Indications (GIs) is a reserved area as it relates to Intellectual Property and so full implementation will be the responsibility of UK Government.

This Regulation lays down specific rules relating to the GIs and will repeal the existing agri-food GIs Regulation (EU) 1151/2012 and amend the provisions relating to wine GIs in Regulation (EU) No 1308/2013 the provisions relating to spirit drinks GIs in Regulation (EU) 2019/787 and (EU) 2017/1001; and (EU) 2019/1753.

The legislation will streamline and harmonise some of their administrative processes, including the registration process, and to address infringements of GIs on the internet.

Department(s) Responsible

The policy on geographical indications is a reserved matter. The Secretary of State for the Department for Environment, Food and Rural Affairs has primary responsibility for GI policy. The Secretary State for Science, Innovation and Technology has an interest given the interaction between GIs and other intellectual property rights, including specific provisions relating to trademarks within the regulations.

Initial Assessment of Impact

As this is a reserved matter, and the responsibility of UK Government, DAERA has not undertaken a full assessment of impact. A full assessment of impact to Northern Ireland (NI) has however been requested from UKG, and DAERA has been advised that the Explanatory Memorandum is currently being updated. It will be forwarded to the Committee upon receipt.

It is DAERA's understanding that this replacement Act consolidates and harmonises the GI legislation and largely roll forward the existing provisions for the EU GI Scheme for it to continue to operate as it currently does in NI.

As the committee will be aware, GIs are a way of recognising the unique skills and knowledge of our food and drink producers and of promoting Northern Ireland produce. Northern Ireland currently has four GIs: Lough Neagh Pollan (PDO), Lough Neagh Eels (PGI), New Season Comber Potatoes (PGI) and Armagh Bramley Apples (PGI); and four all-Ireland GIs: Irish Cream (liqueur), Irish Poteen, Irish Whiskey and Irish Grass Fed Beef (EU Scheme only).

A study carried out by the European Commission in 2017, found that the sales value of PGI meat products was on average 1.2 times the sales value for comparable standard products without a GI label.

UK Government Explanatory Memorandum

The current Explanatory Memorandum, which is currently being updated, can be found [here](#).

Analysis by the European Commission on its Impact Assessment

The initial impact assessment can be found [here](#). No comments are noted in relation to Northern Ireland.

Departmental Engagement

DAERA staff provided feedback to initial Defra assessment of initial proposals and continue to liaise with Defra in this capacity now that the replacement act has been published.