

Minutes of 2nd meeting of the Informal Working Group on Halloumi/Hellim ***11 November 2022***

The 2nd meeting of the Informal Working Group (WG) on Halloumi/Hellim (HH) was held on 11 November 2022 in the Home 4 Cooperation in Nicosia. The meeting was chaired by the Commission services, with the presence of 8 out of 10 WG members (see Annex 1).

The objective of the meeting was to discuss recent developments and next steps concerning the Halloumi/Hellim Protected Designation of Origin (PDO) scheme, in the context of Union and Standard amendments in the EU geographical indications (GI) related legislation.

The WG adopted the draft agenda shared in advance of the meeting.

Members informed of a joint meeting between the Chambers of the two communities and associations of cheese producers, which resulted in a joint proposal for amendments to the product specifications: adding unfolded HH, in cubes, grated and burger patty form, as well as a lactose free variant. The option of cooking the product in salted water should be added to the option of cooking it in brine. Pasteurisation should be optional. The common understanding also included a proposal to accept HH with only 10% of goat/sheep milk in order to ensure a sufficient supply of HH on the market. It was reported that a joint approach would also be pursued in the future to provide added value to the process, by boosting inclusiveness and dialogue between interested parties of the two communities.

Mr. Luca Cianfoni, DG AGRI, presented the EU legislative framework for Union and Standard amendments, with the focus on the scope and respective procedures applicable to each of the two, as well as related temporary amendments provisions (see Annex 2). The participants raised many detailed queries on specific aspects such as the justification and assessment of the choice of amendment procedure, consultation requirements and frequency of changes.

In terms of conclusions, it was agreed to have the next meeting in February 2023.

The minutes of the meeting will be posted on the DG REFORM website.

Annex 1: List of members participating in the first meeting of the Informal Working Group on Halloumi/Hellim:

- To be completed

From the Commission:

Björnsson Kjartan, DG REFORM – Chair of meeting
Cianfoni Luca, DG AGRI – Co-chair
Aubin Vincent, DG SANTE – Co-chair (*participating online*)
Brauhoff, Marcin DG REFORM
Pomoell-Segurola Jutta, DG REFORM
Stiglmayer Alexandra, DG REFORM
Buza-Vidas Marina, DG REFORM
Nikolova Elitza, DG REFORM

**2° Meeting of the Bi-Communs I Working Group on
Χαλλούμι / Halloumi / Hellim**

**Union and Standard amendments in the
EU GI legislation (food sector)**

11 November 2022

Directorate-General for Agriculture and Rural Development
Luisa Cantoni, AGRI, A3 Geographical Indications

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Legal basis

- Regulation (EU) No 1151/2012 (as amended by Regulation (EU) 2021/2117): Article 53
- Regulation (EU) No 664/2014 (as amended by Regulation (EU) 2022/891): Articles 6, 6a, 6b, 6c, 6d
- Regulation (EU) No 668/2014(as amended by Regulation (EU) 2022/892): Articles 10, 10a, 10b

Why two kinds of amendments?

- Amendments are divided in two classes to distinguish them on the basis of their importance.
- The more important amendments should be assessed by the Commission and should go for an opposition procedure at EU and MS level.
- The less important amendments may be approved following a **faster procedure**, without opposition at EU level. MS free to choose the procedure at their level (original group consulted).

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Previous framework: Non minor and minor amendments

- Until 7/6/2022 (included): the more important and the less important amendments were called 'Non minor amendments' and 'Minor amendments'.
- **Both were approved by the Commission** but EU opposition procedure only applied to 'Non minor amendments'.

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Previous framework: Non minor and minor amendments

- Non minor amendments' were those that relate to an essential characteristic of the product, alter the link, change the name, affect the geographical area, increase restriction on trade.
- All the others were 'Minor amendments'.
- Any group having legitimate interest was allowed to apply.

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The new framework: Union and Standard amendments

- As of 8/6/2022 amendments are divided into: Union (more important) and Standard (less important).
- Union amendments are adopted by the Commission. They may affect the interests of operators established in other MS. An opposition procedure at EU and MS level must be carried out.
- **Standard amendments are adopted by the Member States.** They may not affect operators established in other MS. Opposition at EU level is not envisaged. MS free to chose the procedure at their level (original group consulted).

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The new framework: Union and Standard amendments

- 'Union amendment' are those that change the name (or the use of it), risk voiding the link, entail further restrictions on the marketing of the product.
- All the others are 'Standard amendments' (including temporary amendments).
- The scope of Standard amendments is wider than the scope of Minor amendments. **More power to MS.**
- Any group having legitimate interest may apply.

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Union amendments: the procedure

Union amendments follow the rules of the registration procedure (Articles 49 to 52 of R .1151 /2012) + Articles 6, 6a of R.664/2014

MS level

- Application by a group (legitimate Interest)
- Description, reasons, qualification as Union
- Amended Single Document and Specification
- National opposition procedure
- MS decision on the application
- **Submission** to COM

EU level

- **Application** lodged by the **MS (only union am)**
- Assessment by the COM (also admissibility)
- Publication in the EUOJ for opposition
- Possible assessment of oppositions
- COM Decision on approval of the amendment

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Standard amendments: the procedure

Standard amendments follow specific rules: Articles 53(2) of R. 1151/2012 and Articles 6b, 6c, 6d of R. 664/2014

MS level

- Application by a group (legitimate Interest)
 - Description, reasons, qualification as standard
 - Amended Specification (Single Doc If relevant)
 - Consultation of the original Author (if needed)
 - MS decision on the application (final decision)
 - Publication and **communication** to COM
- **communication** sent by MS to COM
 - COM check that communication is duly made
 - Publication in the **EUOJ** if amended Single Doc
 - Publication in eAmbrosia if **Single Doc not** changed

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EU level

Specific aspects: applicant

- For both Union and Standard amendments the applicant may be **any group having legitimate interest** (Article 53(1) of R. 1151/2012).
- A group composed of natural or legal persons affected economically by a change of the product specification, including when not being directly producers of the product, may have a legitimate interest in proposing an amendment to the product specification,

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Specific aspects: information of the producers at the national stage of the procedure

- For Union amendments, information of all producers is ensured via the publication of the proposal for amendment in the framework of the national opposition procedure.
- For Standard amendments, **MS are not obliged to inform all the producers of the ongoing procedures for adoption**. The only obligation is to consult the original group if this is not the applicant for the standard amendment. The MS decision approving or rejecting the standard amendment is public.

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Specific aspects: relationship between Union and Standard amendments

- It may happen that a procedure for approval of Union amendment and one for approval of a Standard amendment are ongoing in parallel. After one of the two is completed, the product specification and possibly the single document of the procedure which is still ongoing must be **adapted following the amendment approved**.

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Specific aspects: applicability of the Standard amendments

- The Standard amendment is applicable in the MS that has approved it following the legislation of that MS. Normally the **same day or the day after the publication of the decision of approval**.
- The Standard amendment is applicable in the rest of the EU territory only after the publication in the EUOJ or eAmbrosia database. MS have 1 month from approval to communicate it to COM. COM has 3 months for publishing it in the EUOJ or eAmbrosia after reception of the MS communication.

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Specific aspects: responsibility for the Standard amendments

- **The national authority that communicates the Standard amendment to COM remain responsible for its content.**
- The Commission has no decisional power. It has just the task to publish the Standard amendments to make them applicable in the Union. The purpose for this structure is to make the adoption of the less important amendment more flexible and agile, avoiding the double step (Member state + Commission).
- These amendments may not affect operators established in other Member States.

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Specific aspects: content of the communication of Standard amendment

- Reference to the protected name
- Description and qualification as Standard amendment
- MS Decision approving the Standard amendment
- Consolidated Single Doc and electronic reference to the publication of the consolidated specification
- Declaration that meets the requirements under R.1151/2012

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Temporary amendments

- **Temporary amendments are a kind of Standard amendment.** They are adopted by MS and communicated to COM.
- They are temporary change in the product specification resulting from the imposition of obligatory sanitary and phytosanitary measures by the public authorities or a temporary amendment necessary because of a natural disaster or adverse weather conditions formally recognised by the competent authorities.

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Thank you

<http://www.imtin.oraralvlew/>
https://ec.europa.eu/info/food-farming-fisheries/food-safety-and-quality/certification/quality-labels_en
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