

STATUTORY INSTRUMENTS.

S.I. No. 275 of 1999.

EUROPEAN COMMUNITIES (PROTECTION OF GEOGRAPHICAL INDICATIONS AND DESIGNATIONS OF ORIGIN FOR AGRICULTURAL PRODUCTS AND FOODSTUFFS) (AMENDMENT) REGULATIONS, 1999.

I, JOE WALSH, Minister for Agriculture and Food, in exercise of the powers conferred on me by Section 3 of the European Communities Act, 1972 (No. 27 of 1972) and for the purposes of giving full effect to Council Regulation (EC) No. 535/97 of 17 March 1997¹, hereby make the following Regulations:

¹ O.J. No. L.83, 25 March 1997 p.3

1. (1) These Regulations may be cited as the European Communities (Protection of Geographical Indications and Designations of Origin for Agricultural Products and Foodstuffs) (Amendment) Regulations, 1999.

(2) The European Communities (Protection of Geographical Indications and Designations of Origin for Agricultural Products and Foodstuffs) Regulations, 1995 (S.I. No. 148 of 1995) and these Regulations may be cited together as the European Communities (Protection of Geographical Indications and Designations of Origin for Agricultural Products and Foodstuffs) Regulations, 1995 and 1999.

2. In these Regulations "the Principal Regulations" means the European Communities (Protection of Geographical Indications and Designations of Origin for Agricultural Products and Foodstuffs) Regulations, 1995.

3. Regulation 2 of the Principal Regulations is hereby amended by the substitution in paragraph (1) in the definition of "Council Regulation" for "Council Regulation (EEC) No. 2081/92 of 14 July 1992" of "Council Regulation (EEC) No. 2081/92 of 14 July 1992² as amended by Council Regulation (EC) No. 535/97 of 17 March 1997."

² O.J. No. L.208, 24 July 1992 p. 1.

4. The Principal Regulations are hereby amended by the insertion of the following Regulation after Regulation 8:

"9. A name which is identical to a name registered in accordance with Article 17 of the Council Regulation may be used in respect of products marketed in the State for a transitional period not exceeding five years from the date of publication of the registration of such name in the Official Journal of the European Communities provided that:

(a) such products have been marketed in the State in accordance with law for a continuous period of at least five years prior to 24 July 1992, and

(b) the labelling on such products clearly indicates the true origin of the product."



GIVEN under my Official Seal, this 1st day of September, 1999.

JOE WALSH,

Minister for Agriculture and Food.

EXPLANATORY NOTE.

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations amend the European Communities (Protection of Geographical Indications and Designations of Origin for Agricultural Products and Foodstuffs) Regulations, 1995 (S.I. No. 148 of 1995) for the purposes of giving effect to Council Regulation 535/97, which amends Council Regulation 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs.

These Regulations should be read in conjunction with the Council Regulations