

L.N. 305 of 2008

**PRODUCT SAFETY ACT
(CAP. 427)**

**The Geographical Indications and Designations
(Amendment) Regulations, 2008**

IN exercise of the powers conferred by article 38 of the Product Safety Act, the Minister of Finance, the Economy and Investment has, on the advice of the Malta Standards Authority, made the following regulations:-

1. The title of these regulations is the Geographical Indications and Designations (Amendment) Regulations, 2008 and they shall be read and construed as one with the Geographical Indications and Designations Regulations, 2004 hereinafter referred to as “the principal regulations”. Citation.
L.N. 182 of 2004.

2. (1) These regulations implement the provisions of Council Regulation (EC) No 510/2006. Scope.

(2) Any reference to Regulation (EEC) No 2081/92 shall be construed as a reference to Council Regulation (EC) No 510/2006.

3. Regulations 7.1 and 7.2 shall be substituted by the following: Amends regulation 7 of the principal regulations.

“7.1 Following receipt of an application for registration in accordance with Council Regulation (EC) No 510/2006, the Authority shall check that the application is justified and shall forward the application to the European Commission in accordance with Article 5(7) of Council Regulation (EC) No 510/2006.

7.2 Prior to forwarding the application to the European Commission, the Authority shall publish in the Gazette, a summary of each application forwarded to the European Commission in accordance with Article 5(7) of Council Regulation (EC) No 510/2006. The summary shall include:

- (a) the name and address of the applicant;

(b) the name of the product for which protection is sought;

(c) the main points of the application.”.

Amends regulation 8 of the principal regulations.

4. Regulation 8.9 shall be substituted by the following:

“8.9 The name of the Malta Standards Authority, or symbol which may be determined by the Authority, shall appear on the label of agricultural products or foodstuffs granted protection in terms of Council Regulation (EC) No 510/2006 and subject to inspection by the Authority, together with:

(a) the identification number of the producer, referred to in regulation 8.6 (a),

(b) the protected name of the product in Maltese and optionally, additionally in English,

(c) one of the following designations in Maltese, immediately following the protected name of the product, according to the nature of the protection granted under Council Regulation (EC) No 510/2006:

i. ‘Denominazzjoni Protetta ta’ Orìġini’

ii. ‘DPO’

iii. ‘Indikazzjoni Ġeografika Protetta’

iv. ‘I P’

Optionally, one of the following designations in English:

v. ‘Protected Designation of Origin’

vi. ‘PDO’

vii. ‘Protected Geographical Indication’

viii. ‘PGI’,

or

the Community symbol established by Commission Regulation (EC) No 1898/2006.”.

5. Regulation 9.1 shall be substituted by the following:

Amends regulation 9 of the principal regulations.

“9.1 No reference should be made to:

- (a) any of the terms mentioned in regulation 8.9 (c);
- (b) the symbol determined by the Authority in accordance with regulation 8.9;
- (c) the Community symbol established by Commission Regulation (EC) No 1898/2006;
- (d) any other term or symbol intended to give the impression that the product has been granted protection in terms of Council Regulation (EC) No 510/2006,

in the labeling, presentation or advertising of any agricultural product or foodstuff which has not been granted protection in accordance with Council Regulation (EC) No 510/2006.”.

6. The following regulation 10.1 shall be added after regulation 9.1:

Adds regulation 10 to the principal regulations.

“10.1 Names of products granted transitional national protection according to article 5 (6) of Council Regulation (EC) No 510/2006 are included in the First Schedule to these regulations.

10.2 Following a decision on the registration of the product according to Council Regulation (EC) No 510/2006, the names mentioned in regulation 10.1 are included in the Second Schedule to these regulations, in case of a positive decision .”.

7. The following shall be added as the First Schedule to the principal regulations:

Adds First Schedule to the principal regulations.

“First Schedule

Names of products for which a transitional national protection has been granted:

Name of product
Lumi Laring ta' Ghawdex
.

Adds Second
Schedule to the
principal
regulations.

8. The following shall be added as the Second Schedule to the principal regulations:

“Second Schedule

Names of products registered under Council Regulation (EC) No 510/2006

Name of product	Designation (PDO/PGI)

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