

III - EXISTING LEGISLATION AND EXAMPLES OF RELEVANT BRANDS FOR THE PROMOTION OF MOUNTAIN PRODUCTS

Brief inventory

The following inventory covers community and national (eight countries surveyed) as well as regional/provincial levels in decentralised countries (in which surveyed areas are situated). Quoted private brands are ones that are considered relevant for the project and mountain food product development in general.

1/ Definitions of Mountain Areas in Europe

- At Community level, it is Directive 75/268—adopted pursuant to Council Regulation 1257/1999 and transposed into national legislation by the different Member States—which in most cases provides the basis for national definitions in the field of agriculture.
- Next to this legislation, there are several national definitions applying in very specific contexts.

2/ Specific Legislation on the Development of Mountain Areas and Their Agriculture

- At Community level, based on zoning provisions under Council Regulation 1257/1999, EU Member States may make compensatory payments to mountain farmers. Most Member States with mountain areas do.
- At national level, only France (under the Mountain Law of 1985), Italy (under Law 1994/97) and Poland (Law of 21 January 1985) have included special provisions for mountain farming in national legislation as well as specific national support measures for mountain farmers.

3/ Official Protection of the Term “Mountain”

Such protection does not exist at community level and only 2 countries from the EU have passed legislation in this field: France and Italy. In France, identification refers to the origin and is available to all food products obtained AND processed AND packed in mountains. In Italy, the Decree of 30 December 2003, not been implemented yet, propose the access to “mountain denomination” to products protected by a P.D.O. or P.G.I. but part of the productive chain [production AND/OR processing] may be located outside mountain areas.

4/ Procedures for Access to Community Protection

In Italy, Greece and Spain, no certification under a national identification scheme is required prior to applying for P.D.O.s or P.G.I.s (European level). In Norway, P.D.O.s, P.G.I.s and T.S.G.s have only recently been mainstreamed into national legislation. In Poland, all national geographical identifications will have to apply for P.D.O.s and P.G.I.s in order to preserve geographical protection following the enlargement. In France only, access to P.D.O.s and P.G.I.s is subject to prior registration of food products under an official national quality certification scheme; access to OF (Organic Food) and T.S.G. identification is direct.

5/ Official National or Regional Quality Schemes

In Spain and Italy—decentralised countries—, official product identification schemes are registered at national level and individual autonomous regions have the right to develop their own regional application. Italy has set up a national register of “traditional products”. Being a centralised State, France has four official national quality schemes. Conversely, Greece, Poland, Rumania, Norway and the UK have no experience with comparable legislation.

6/ Collective Schemes Launched Jointly With or Recognised By Public Authorities

Available cases of such collective schemes were initiated at provincial/regional or local level. They are mostly to be found in Italy and Spain. They often effectively integrate productive systems downstream and are geared toward communication and the emergence and conveyance of an image for entire regions.

7/ Private Brands and Initiatives

These are either individual or collective and are comparatively more heavily represented among surveyed mountain area products in Scotland and Norway.