



**REPORT 5
PUBLICATION 2**

OLK5-CT-2002-30276

MOUNTAIN FOOD PRODUCTS IN EUROPE:

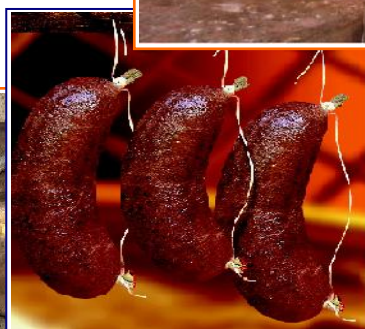
EXISTING LEGISLATION AND EXAMPLES OF RELEVANT BRANDS FOR THEIR PROMOTION

- DEFINITIONS OF MOUNTAIN AREAS
- AGRICULTURAL POLICIES WHICH CAN SUPPORT PRODUCTION IN MOUNTAIN AREAS
- LEGISLATION RELATED TO MOUNTAIN/ QUALITY PRODUCTS
- EXAMPLES OF BRANDS RELATED TO THE DEVELOPMENT OF SPECIFIC PRODUCTS

France



Italy



Switzerland



Spain



COUNTRIES CONCERNED:

**AUSTRIA, FRANCE, GREAT BRITAIN,
GREECE, ITALY, NORWAY, POLAND,
ROMANIA, SPAIN, SWITZERLAND,
COMMUNITY LEVEL**



Project: « Strategic information for the development of agricultural quality products in European mountain areas »

Fifth framework Programme for RTD – DG Research — Oct. 2002—Sept. 2004

EUROMONTANA is the European multisectoral association for co-operation and development of mountain territories. It embraces regional and national mountain organisations throughout greater Europe, including regional development agencies, local authorities, agriculture organisations, environmental agencies, forestry organisations and research institutes.

Euromontana's mission is to promote living mountains, integrated and sustainable development and quality of life in mountain areas.

In order to achieve this, Euromontana facilitates the exchange of information and experience among these areas by organising seminars and major conferences, by conducting and collaborating in studies, by developing, managing and participating in European projects and by working with the European institutions on mountain issues.

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INTRODUCTION

In addition to surveying food production from mountain areas, Euromontana's 2002-2004 project takes stock of legislation, public schemes and private initiatives directly or indirectly addressing mountain farming and its food production. While the survey covered the eight countries involved in the project (France, Spain, Italy, Greece, Romania, Poland, Norway and the UK)—and of course the European level—, consideration was also given in this dossier to two additional countries—Austria and Switzerland—with mountain areas of particular importance and relevance.

For the purpose of the Euromontana project, data was collected in 2003. Therefore, updated information and figures for 2004 are identified in the body of the text. Data regarding Austria and Switzerland correspond to 2004.

Data relating to individual countries is presented using the same canvass comprising five sections:

- Definition of mountain area

This section provides official national definitions of "mountain area", where such definitions exist.

- Farming and agro-food policies

This section describes specific mountain area farming and food policies, as well as other farming and food policies which are not dedicated to mountain areas but are suited to their specific conditions and can therefore be useful to these areas.

- Public quality marks (*)

Developed at EU, national and sometimes even regional level (Autonomous Communities), these marks are defined officially under specific legislation or decrees. Applied on food products, these marks provide the guarantee of a certain quality. Entitlement to these marks is often accompanied by certification.

- Private marks with public support (*)

This section of the document is far from being exhaustive but does provide a description of a few private brands endorsed, leveraged and/or supported by public authorities. Examples of such marks listed in this section are either marks applied on food products surveyed within the framework of the project or marks of particular relevance in the case of mountain products.

- Collective and individual private marks (*)

The description of private brands is not exhaustive. This section includes marks either appearing on products surveyed as part of Euromontana's 2002-2004 project or selected by the partnership for their relevance to the study and development of mountain products in Europe.

** We tried to differentiate the types of initiatives but the legal context of the community and the member states is complex. The proposed classification can not therefore constitute a legal reference.*

EUROPEAN UNION

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I - DEFINITIONS OF MOUNTAIN AREAS

A - Official definitions

The “agricultural” definition of mountain areas

The European institutions use Council Regulation (EC) No 1257/1999 to define the mountain ‘agricultural’ areas which can benefit from compensatory allowances within the framework of the second pillar of the Common Agricultural Policy (the rural development policy of the EU – see below).

This definition is only a framework definition, adapted within the Member States, and is used only for the purpose of allocating these compensatory allowances to mountain farmers. **It is to date the only official mountain definition at EU level.**

A framework definition, adapted in the Member States

The following is the definition of mountain areas laid down in Article 18 of Council Regulation (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations¹:

"1. Mountain areas shall be those characterised by a considerable limitation of the possibilities for using the land and an appreciable increase in the cost of working it, due:

- to the existence, because of the altitude, of very difficult climatic conditions the effect of which is substantially to shorten the growing season,*
- at a lower altitude, to the presence over the greater part of the area in question of slopes too steep for the use of machinery or requiring the use of very expensive special equipment, or*
- to a combination of these two factors, where the handicap resulting from each taken separately is less acute but the combination of the two gives rise to an equivalent handicap.*

2. Areas north of the 62nd Parallel and certain adjacent areas shall be treated in the same way as mountain areas."

Regulation No 1257/1999 specifies the **general classification criteria** (altitude, steep slopes, combination of the two), but **does not set minimum values to be observed by the Member States**. With increasing subsidiarity, it is now up to the national and/or regional authorities to define levels and to classify areas in accordance with the basic Community criteria.

The most widespread interpretation of the first two criteria, for practical purposes, by Member States and/or regions is:

- very difficult climatic conditions can be expected at altitudes over 600-800 metres (for each district or part thereof);

¹ OJ L 160, 26.6.1999

- slopes too steep for the use of machinery or requiring the use of very expensive special equipment are those with a gradient of at least 1 in 5 on average per square kilometre.

A limited use

As mentioned above, this definition is used only within the framework of the rural development policy of the EU (second pillar of the common agricultural policy) in order to identify the mountain agricultural land which can benefit from compensatory allowances.

A reform ?

The rural development policy of the European Union is currently being reformed, but in the draft regulation published on 14 July 2004, there is no change planned in this framework definition.

Towards other EU-definitions of mountain areas ?

Within the framework of the regional policy ?

The regional policy of the European Union is now considering (in the draft regulation for the structural funds 2007-2013 published on 14 July 2004) allocating higher co-financing rates to the "Areas with Natural handicaps" which include islands, sparsely populated areas and mountains. There is a need therefore to identify these areas in order to target the eligible areas for a higher co-financing rate.

However the arrangements envisaged are that the Member States should define for themselves those mountain areas which deserve a higher co-financing rate and this may not cover therefore the whole mountain area of the country.

These proposals would therefore result in the definition by the Governments of a "regional development mountain area". Just as for the "agricultural mountain areas", the global map would be an aggregation of different national definitions validated by the EU authorities.

The need for a consistent definition at EU-level?

From the point of view of some mountain representatives, the lack of a homogeneous European map of mountain areas constitutes a constraint on the implementation of European policies in favour of these areas. In particular in the field of mountain food products, their identification at EU-level is necessarily related to the identification of the mountain area itself.

However it is also clear that the national or regional perceptions of the "mountains" differ from one country to another and any homogeneous European map (based on criteria applied equally over the EU-territory) would never exactly coincide with the local perceptions.

Even if there seems to be a lack of a unique mountain definition at EU level, there have been several studies which provide useful elements towards a European definition.

B - Studies, maps and analysis

Own-initiative opinion 461/88 by the Economic and Social Committee

In the information report by its Section for Regional Development on *a policy for upland areas*², the Economic and Social Committee devised a standard meaning for the concept of "upland area" covering the whole range of geophysical, climatic, ecological and socio-economic situations that form European uplands. On the basis of that report, a definition that is methodological and practical both in nature and in purpose was established and published in the Committee's own-initiative opinion 461/88:

"The present Opinion takes an upland area to be a physical, environmental, socio-economic and cultural region in which the disadvantages deriving from altitude and other natural factors must be considered in conjunction with socio-economic constraints, spatial imbalance and environmental decay."

"The legal classification criteria used by the Member States and the Community to define upland areas need to be standardised, partly to eliminate any distortions in competition between the enterprises of different Member States. This standardisation requires the establishment at Community level of criteria covering various natural and socio-economic handicaps as suggested in the definition given [above]."

According to this Opinion of the ECOSOC, the classification criteria should be:

- **natural disadvantages.** This should not be limited to the factors used by Directive 75/268/EEC³ (altitude, slope, combination of these two), but:
 - with regard to climate, should consider not only altitude but also latitude and geographical situation;
 - with regard to the physical aspects, should consider not only slope but also relief, type of soil, etc.;
- **socio-economic disadvantages:**
 - low population density;
 - isolation caused by remoteness from cities and economic/political centres;
 - population excessively dependent on agriculture;
 - insufficient outlets down slope in areas bordering with third countries with which communications are difficult;
- **degree of environmental decay.**

It is the combination of these factors which defines an area as an "upland". The minimum altitude at which an area qualifies as "upland" varies accordingly. Hence the choice and combination of these factors, and their use as yardsticks, cannot be uniform throughout the Community but must be adapted to the various circumstances. [...].

Directive 75/268/EEC and most national laws use local authority areas (or parts of them) as the basic territorial unit for demarcating upland areas. In many cases, this practice has made the official upland areas rather irregular in size. Instead measures should cover compact "blocks" of territory, i.e. units comprising uplands plus the immediately adjoining areas which are linked to them geographically, economically and socially.

² CES 435/84 final

³ Directive 75/268/EEC is the previous directive that has been replaced by CE 1257/1999.

The United Nations Environment Programme mountain map

In the framework of the International Year of the Mountain 2002, the United Nations Environment Programme (UNEP), together with the World Conservation Monitoring Committee (WCMC) has considered the definition of mountains and upland areas:

"Altitude and slope and the environmental gradients they generate are key components of such a definition, but their combination is problematic. Simple altitude thresholds both exclude older and lower mountain systems and include areas of relatively high elevation that have little topographic relief and few environmental gradients. Using slope as a criterion on its own or in combination with altitude can resolve the latter problem but not the former."

On the basis of data available world-wide, the following mountain classes have been empirically defined:

- Altitude between 300 and 1 000 m, variation in altitude more than 300 m;
- Altitude between 1 000 and 1 500 m and slope greater than 5° or variation in altitude more than 300 m;
- Altitude between 1 500 and 2 500 m and slope greater than 2°;
- Altitude between 2 500 and 3 500 m ;
- Altitude between 3 500 and 4 500 m ;
- Altitude greater than 4 500 m.

The resulting map is not relating to administrative units and is very refined.

The DG Regio 2004 study "Mountain areas in Europe"

See: http://www.europa.eu.int/comm/regional_policy/sources/docgener/studies/study_en.htm

In 2002, the DG Regio of the European Commission launched a study on "Analysis of the mountain areas in the European Union and the candidate countries".

This study was conducted mainly in 2003 and was published in March 2004.

The objective was mainly to make a statistical analysis of the mountain areas in Europe, on the basis of a consistent database.

In order to prepare such a consistent database, the first step was the necessary identification of a homogeneous mountain area throughout Europe.

The delimitation of European mountain municipalities

In order to achieve a satisfactory delimitation, this study started from the UNEP-WCMC map (see above) but used slightly different topographical criteria within five elevation belts, using the principle that the threshold for rough topography increases as the altitude decreases. For the climatic constraints, a temperature contrast index of 0.25 was chosen. Only areas in the north where the temperature contrast is similar or worse than the values in the highest parts of the Alps are included.

The definition chosen could be described as including:

- high altitude areas,
- or – areas with very rough topography (even at a very low altitude),
- or – areas with extreme climatic conditions (even at low altitude and with no rough topography),
- and of course areas combining these three types of criteria.

In order to create more continuous areas, and considering that topographic constraints play a greater role when they extend over a certain area, isolated mountainous areas less than 5 km² in area were not considered. Similarly, non-mountainous areas within mountain massifs were included.

Finally, the mountain area was *approximated to municipal boundaries*. To be considered as mountainous, a municipality had to have at least 50% of its area within the area delimited as mountain.

The delineation of mountain massifs

The study identified massif demarcations which naturally consist of continuous or nearly continuous groups of mountain municipalities. Based on this demarcation, a statistical analysis assessed whether the internal structure of each massif varied or was really homogeneous, for example by looking at the degree of social and economic homogeneity.

For each country, only a limited number of massifs were defined.

A hierarchy of massifs was also developed. First, national massifs and isolated mountain areas were identified individually (Massif Level 3). In a second step, the isolated mountain areas were considered as one group, different from the national massifs (Massif Level 2). Finally, mountain ranges were designated; many of these are trans-national, crossing national boundaries (Massif Level 1).

Future use of this study?

This study was mainly prepared to provide a "mountain" database and it is not clear whether or how this homogeneous mountain definition could be used. There is, to date, no intention of the European Commission to use it for any policy implementation or reference.

II - AGRICULTURAL AND FOOD POLICIES

A- The EU-policies mainly affecting mountain areas

A number of Community policies already have a major impact on developments in mountain areas. We may mention:

- common agricultural policy: compensatory allowances for less-favoured areas, agri-environmental measures, etc.;
- structural and cohesion policy (in particular Structural Fund Objectives 1 and 2);
- Community Initiatives concerning rural development (Leader+) and crossborder, transnational and interregional cooperation (Interreg III A, B and C); e.g. the Interreg III B Alpine area cooperation programme involves Germany, Austria, France, Italy, Switzerland, Slovenia and Lichtenstein;
- on-going discussions of spatial development, especially through the European Spatial Development Perspective (ESDP) and its implementation;
- common environmental policy: the framework directives on water⁴, natural habitats, wild fauna and flora,⁵ soil, etc.;
- research and technological development policy, and the many resulting improvements expected in living conditions.

The policies the most relevant in relation to mountain agricultural food products are the first and second pillar of the Common Agricultural Policy and the Leader Community initiative.

⁴ In particular Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000).

⁵ In particular Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992); Council Directive 97/62/EC of 27 October 1997 adapting to technical and scientific progress Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (OJ L 305, 8.11.1997).

B- The "first pillar" of the Common Agricultural policy: EU-market measures

A major impact but a traditionally non-territory based policy

There is no assessment of the impact, at the European level, of the market measures of the Common Agricultural Policy (CAP) on mountain farming and mountain products. However, the CAP is a major policy governing agriculture in the European Union. On the overall agricultural territory of the Union :

- it provides internal supports to different types of productions (these supports are bound to become non-specific supports with the decoupling introduced in the 2003 reform – see below);
- it can provide some export subsidies;
- it has a system of import regulation (depending on the types of products).

Because these market measures apply in all the overall European Union territory, mountain farming has no specific treatment within the framework of the first pillar of the CAP.

The 2003 reform of the CAP

See: http://europa.eu.int/comm/agriculture/capreform/index_en.htm

On the 29th of September 2003, the Council of the European Union adopted a reform of the CAP, particularly affecting the first pillar. In particular,

- it proposes that direct supports to producers will be delivered per farm without consideration of the type of production (decoupling), although special transitional arrangements can be used by the Member States. This is to be implemented from 2005 onwards but again, special arrangements can be agreed with the Member States. At the latest, the new rules will have to be implemented from 2007.
- It plans a decrease in the direct supports, in favour of an increase in support for rural development policy ("second pillar" – see below).

Two points may be raised:

1/ In this new policy, the Member States will have a significant range of options to choose for the delivery of direct payments. In particular, they can implement a system with different arrangements depending on the regions. This could be a positive element for mountain regions, which could benefit from a more adapted / specific framework. But this entirely relies in the choice of the Member States.

2/ The reform comprises some risks of abandonment of the productions (no compulsory production is required to qualify for the payment), and some risks of abandonment of the finishing of animals in the difficult areas (cf. study in Scotland). These 2 risks are particularly challenging for mountain areas and for the development of their products.

C- The "second pillar" of the Common Agricultural policy: rural development measures

The Common Agricultural Policy also has a "rural development" pillar, which can be used in a flexible way in the Member States.

[Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations

See: http://europa.eu.int/comm/agriculture/rur/leg/1257_en.pdf]

A few current general rules

The rural policy is designed at the European Union level in the form of a Menu of measures. From the Menu, programmes are prepared within the Member States at the national or regional levels (depending on the country). The current running programmes (230 programmes in the 15 Member States (including the Leader+ programmes)) are drawn for the programming period 2000-2006.

They can exceptionally be amended with new measures of the Menu, proposed by the 2003 reform of the CAP.

The programmes are co-financed by the EAGGF (European Agricultural Guidance and Guarantee Fund) and by the Member States. The level of EU co-financing depends on the types of areas, and is typically between 50% (outside Objective 1) and 75% (Objective 1), but there are different specific rules for investments and supports to young farmers.

The current Menu at EU-level and measures of particular interest for quality or for mountain products

The following Menu presents the measures which are in the regulation 1257/99, plus the new rural development measures added in 2003, and which can exceptionally be incorporated in the programmes. It is important to understand that what is available for the development on one single area depends on the programme(s), for the period 2000-2006, applying for this area, and not necessarily the whole range of measures. Only the agri-environmental measures are compulsory in all the programmes.

This list applies for the current EU-15 Member States :

I. restructuring/competitiveness:
• Investments in farms (ch I)
• Young farmers (ch II)
• Training (ch III)
• Early retirement (ch IV)
• Meeting standards - temporary support (ch Va)
• Meeting standards – support farm advisory services (ch Va)
• Food quality – incentive scheme (ch VIa) (see detailed description below)
• Food quality – promotion (ch VIa) (see detailed description below)
• Investments in processing/marketing (ch VII)
• Land improvement (art 33)
• Reparcelling (art 33)
• Setting up of farm relief and farm management services (art 33)
• Marketing of quality agricultural products (art 33) (see detailed description below)
• Agricultural water resources management (art 33)
• Development and improvement of infrastructure related to agriculture (art 33)
• Restoring agricultural production potential damaged by natural disasters and appropriate prevention instruments (art 33)
II. environment/land management:
• Less favoured areas (including mountain areas) and areas with environmental restrictions (ch V) (see detailed description below)
• Agri-environment/animal welfare (ch VI)

• Afforestation of agricultural land (ch VIII)
• Other forestry (ch VIII)
• Environmental protection in connection with agriculture, forestry and landscape management and improving animal welfare (art 33)
III. rural economy/rural communities:
• Basic services for the rural economy and population (art 33)
• Renovation and development of villages, protection and conservation of the rural heritage(art 33)
• Diversification of agricultural activities and activities close to agriculture to provide multiple activities or alternative sources of income (art 33)
• Encouragement for tourism and craft activities (art 33)
• Financial engineering (art 33)

For the new MS there are a number of specific measures for the 2004-2006 period:

• Producer groups
• Semi-subsistence farming
• Compliance with Community standards (to be merged with CAP reform meeting standards)
• Complements to (market) direct payments
• Technical assistance (Guarantee)
• Farm advisory and extension services
• LEADER+ type measures

The measures directly affecting quality products or mountain productions :

(Extracts from the booklet of the European Commission "Rural development in the European Union" – November 2003 - <http://europa.eu.int/comm/agriculture/publi/fact/rurdev2003/en.pdf>)

1/ Food quality measures (new measures 2003 which can be integrated in the existing programmes)

Two new measures are introduced under this heading:

First, incentive payments will be available for farmers who participate voluntarily in EU or national schemes designed to improve the quality of agricultural products and production processes, and which give assurances to consumers on these issues.

The following EU quality schemes are eligible for support:

- protection of geographical indications and designations of origin for agricultural products and foodstuffs¹²;
- certificates of specific character for agricultural products and foodstuffs¹³;
- organic production of agricultural products and indications referring to these¹⁴;
- quality wine produced in specified regions¹⁵.

In addition, Member States may offer aid for other national food quality schemes recognised within their programmes if they respect a set of EU criteria. Participating farmers may receive annual payments for up to five years and up to a maximum of EUR 3 000 per holding per year.

Second, support will be possible for producer groups for activities intended to inform consumers about, and promote, the products produced under quality schemes recognised under the first measure above, at up to 70% of eligible project costs.

2/ Processing and marketing of agricultural products

Agenda 2000 recognised that adapting production to market developments, researching new commercial outlets and adding value to agricultural products are all important in helping to raise the

competitiveness of the sector. Aids are made available for investments to improve the processing and marketing of agricultural products. They should contribute to one or more objectives, including applying new technologies, improving and monitoring quality, encouraging the development of new outlets for agricultural products, and protecting the environment.

3/Less favoured areas and areas subject to environmental constraints

Certain rural areas are designated as less favoured areas (LFAs) because the conditions for farming are more difficult, due to natural handicaps which increase production costs and reduce agricultural yields. These conditions may threaten the long-term survival of farming, continued land management and the viability of rural communities in these areas. Farmers in LFAs are eligible for compensatory payments. Under Agenda 2000 these payments were adapted to reflect better the role which farmers play as managers of the natural landscape in such areas: payments are now calculated per hectare and not per head of livestock as before, so breaking the link with production, and are conditional on the farmer respecting good farming practice. A new measure directed at areas subject to environmental constraints came in with Agenda 2000: farmers in areas subject to restrictions on agricultural use, as a result of implementation of EU environmental protection rules, can also benefit from payments intended to compensate for the additional costs and income losses linked to these constraints. This could, for example, be in areas designated under the EU's Natura 2000 network².

With the 2003 reform of the CAP, there is a new provision for payment of compensatory allowances in LFAs at an increased maximum of EUR 250/hectare (on average at Member State level) – increased from EUR 200. This possibility applies for cases justified by objective circumstances only.

D- The opportunities of Leader + for the period 2000-2006

Leader+ is another rural development tool of the European Union which comprises some elements of particular interest for the development of local and quality products.

(Extract of the web page : http://europa.eu.int/comm/agriculture/rur/leaderplus/index_en.htm)

Leader+ is one of four initiatives financed by EU structural funds and is designed to help rural actors consider the long-term potential of their local region. Encouraging the implementation of integrated, high-quality and original strategies for sustainable development, it has a strong focus on partnership and networks of exchange of experience. A total of € 5 046.5 million for the period 2000-2006 will be spent, of which € 2 105.1 million is funded by the EAGGF Guidance section and the remainder by public and private contributions.

While Leader I marked the beginning of a new approach to rural development policy, which is territorially based, integrated and participative, and Leader II saw the Leader I approach put to more widespread use, with an emphasis on the innovative aspects of projects, Leader+ continues its role as a laboratory which aims to encourage the emergence and testing of new approaches to integrated and sustainable development that will influence, complete and/or reinforce rural development policy in the Community.

Leader+ is structured around three actions, in addition to technical assistance:

	<i>million EUR</i>	<i>Share (%)</i>
Action 1: Support for integrated territorial development strategies of a pilot nature based on a bottom-up approach	4.377,6	86,75
Action 2: Support for cooperation between rural territories	504,8	10,00

Action 3: Networking	68,7	1,36
Technical assistance	95,4	1,89

Implementation of Action 1 is through Local Action Groups (LAGs) selected in an open procedure based on the criteria laid down in the programmes. These include the rural nature of the territories, their homogeneity in physical, economic and social terms, and integrated and innovative development plans. Economic and social partners and associations must make up at least 50 % of the local partnership, and the relevance and effectiveness of this partnership is also taken into account.

The priority themes laid down by the Commission are:

- *making the best use of natural and cultural resources, including enhancing the value of sites;*
- *improving the quality of life in rural areas;*
- *adding value to local products, in particular by facilitating access to markets for small production units via collective actions;*
- *the use of new know-how and new technologies to make products and services in rural areas more competitive.*

National networks (Action 3) disseminate information from national level to the LAGs and act as a forum for information exchange on experience and know-how. They also deliver assistance for local and transnational cooperation. Implementation of Action 2 and technical assistance has not yet begun but is expected to start in 2003.

Member States must present a mid-term evaluation of Leader+ programmes by the end of 2003.

E- The future EU rural policy

See: http://www.europa.eu.int/comm/agriculture/rur/index_en.htm

On 14 July 2004, the Commission has adopted a proposal to reinforce the EU's rural development policy and to simplify its implementation for the period 2007-2013.

The principles will remain the same: a Menu of measures that the Member States can implement by means of national or regional programmes covering the period 2007-2013.

The main measures concerning mountain food products (mountain compensatory allowances / food quality measures) should not change much. The agri-environmental measures will remain compulsory.

III - PUBLIC QUALITY MARKS

A - Protected Designation of Origin (PDO) and Protected Geographical Indication (PGI)

See: http://europa.eu.int/comm/agriculture/publi/gi/broch_en.pdf

Extracts from: http://europa.eu.int/comm/agriculture/foodqual/quali1_en.htm

and: <http://www.europa.eu.int/scadplus/leg/en/lvb/l21097.htm>

PDOs and PGIs are defined in Council Regulation EEC n°2081/92 of 14 July 1992, amended by EC Council Regulation n°535/97 of 17 March 1997. The objective is to lay down rules for the protection of geographical indications and designations of origin so as to add value to certain specific high-quality

products from demarcated geographical areas, thereby promoting the diversification of agricultural production in a rural development context.

Quality wines are not concerned by this regulation.

Definitions:



➤ **PGI (*Protected Geographical Indication*)**: the geographical link must be present in at least one stage of production, processing or preparation. Furthermore, products can benefit from a good reputation.



➤ **PDO (*Protected Designation of Origin*)**: covers the term used to describe foods which are produced, processed and prepared in a given geographical area using recognised know-how.

The link between product and geographical location is more specific in the case of PDOs.

To qualify for PDO or PGI designation, products must comply with a range of specifications including:

- product name and description;
- geographical area demarcation;
- methods of preparation;
- factors relating to the geographical environment;
- inspection bodies;
- details of any labelling and legal requirements.

Applications for registration must be made by individuals groups of producers. Initial applications are sent to the authorities of the Member States of origin of individual products, which check that products meet all requirements and then forward them to the other Member States and the Commission. The Commission examines applications and publishes them in the Official Journal of the European Communities. In the absence of any objection within six months, PDO or PGI denominations are entered in a register kept by the Commission. If objections are raised, the Commission examines their grounds before reaching a decision.

PGIs and PDOs are legally protected against misuse and false or misleading indications.

B - Traditional Speciality Guaranteed (TSG)

Extracts from: http://europa.eu.int/comm/agriculture/foodqual/quali1_en.htm

And: <http://europa.eu.int/scadplus/leg/en/lvb/l21096.htm>

TSGs are defined by Regulation EEC n°2082/92 of 14 July 1992.



TSGs (*Traditional Specialities Guaranteed*) do not refer to origin but highlight the traditional character of products, in terms of either composition or production methods.

In order to qualify for registration in the TSG list, products must have specific features due to raw materials or production methods, to the exclusion of geographical origin or specific technology. The defining features of foods need to exceed standard requirements.

Individual groups of producers alone may apply for registration and must therefore supply specifications relating to:

- sales denomination;
- production rules;
- food description and main characteristics;
- key elements defining the traditional nature of the product;
- control system.

Applications for registration are first submitted to the respective Member States of origin, whose authorities control and then submit them to the European Commission. Applications are circulated to all Member States for consideration during six months. In the absence of opposition, products are then registered by the Commission. If objections are raised, the Commission invites Member States to find an agreement.

After publication in the Official Journal of the European Communities, the sales denomination is reserved and the indication "specificity controlled" may be added and coexist with other existing national/regional denominations.

The Member States take all the measures required to ensure legal protection of TSGs against imitations.

C - Organic Farming

See: http://europa.eu.int/comm/agriculture/qual/organic/index_en.htm

Regulations have been introduced to ensure the authenticity of organic farming methods, which have evolved into a comprehensive framework for the organic production of crops and livestock and for the labelling, processing and marketing of organic products. These also govern imports of organic products into the EU.

The first regulation on organic farming [[Regulation EEC n°2092/91](#)] was drawn up in 1991 and came into force in 1992. Organic farming should be understood as being part of a sustainable farming system and a viable alternative to the more traditional approaches to agriculture.

In August 1999, rules on production, labelling and inspection of the most relevant animal species (i.e. cattle, sheep, goats, horses and poultry) were also agreed [[Regulation EC n°1804/1999](#)]. This agreement covers such issues as foodstuffs, disease prevention and veterinary treatments, animal welfare, husbandry practices and the management of manure. Genetically modified organisms (GMOs) and products derived from GMOs are explicitly excluded from organic production methods.

The regulations also covers imports of organic agricultural products from third countries whose organic production criteria and control systems have been recognised as equivalent by the EU.



In March 2000, the European Commission introduced a logo bearing the words 'Organic Farming - EC Control System' under [Regulation EEC n°2092/91](#), to be used on a voluntary basis by producers whose systems and products have been found on inspection to comply with EU regulations.

Consumers buying products bearing this logo can be confident that:

- at least 95% of product ingredients have been organically produced;
- products comply with the rules of the official inspection scheme;
- products came directly from producers or processors in a sealed package;
- individual products bear the name of the producer, processor or vendor, as well as the name or code of the inspection body.

D - Specific case of wines and spirits

See: <http://www.europa.eu.int/scadplus/leg/en/lvb/l21093.htm>

The registration procedure for quality wines remains national and is covered by Regulation EC n°1493/99 and Regulation EEC n°1576/89. However, the Commission and Member states share responsibility for registration under the above-mentioned Regulation.

E - International perspectives for the protection of origins and organic farming

Regulation EEC n°2081/92 was amended by Regulation EC n°692/2003 to comply with the TRIPs agreement, managed by the WTO (World Trade Organisation). The main objectives were to:

- provide WTO members with the right to file objections during PDO/PGI registration procedures;
- clarify the system of registration for geographical indications under regulation EEC n°2081/92 to entertain application from third countries under conditions of equivalence and reciprocity.

A specific association on this theme:

See: <http://www.origin-gi.com/index.php>

An international organisation, ORIGIN, was set up in 2003 to protect and promote Geographical Indications at international level.

V - COLLECTIVE OR INDIVIDUAL PRIVATE BRANDS

A - European regulation 40/94

See: http://europa.eu.int/smartapi/cgi/sga_doc?smartapi!celexapi!prod!CELEXnumdoc&lq=en&numdoc=31994R0040&model=guichett

Regulation n°40/94 provides for the registration of goods or services brands at the European level to protect them within the EU. Registration is effected with OHMI (Office for Harmonisation in the Internal Market), located in Alicante, Spain.

Community trade benefits from uniform protection throughout the Community. Brands are governed by uniform Community legislation applicable directly in all Member States.

Individual brands are allowed to use geographical names only in the case of products or services that can definitely not come from corresponding areas (e.g. "Himalaya" brand selling sailing boats).

AUSTRIA

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I - DEFINITION OF MOUNTAIN AREAS

Austria has a long history of demarcation of mountain areas in the agricultural context. In 1954, a Regulation of the Ministry of Finance defined Austrian mountain areas as "mountain farming municipalities". Further Less-Favoured Areas (LFAs) were defined and demarcated in the 1980s. In 1995, upon joining the EU, Austrian LFAs were re-defined and demarcated in accordance with EU criteria (mountain areas, other less-favoured areas and areas affected by specific handicaps). This was done at the level of municipalities or parts of municipalities. In 1997 a fine-tuning was undertaken in accordance with the criteria of Directive 95/212/EC.

The criteria adopted in Austria for demarcating mountain areas (according to Article 23 of Council regulation EC N°950/97 and Article 18 of Council regulation EC N°1257/1999) were:

- an altitude of at least 700m above sea-level; or
- a mean gradient (slope) of at least 20 percent; or
- a combination of an altitude of at least 500m above sea level and a mean gradient (slope) of at least 15 percent.

According to the EU classification of LFAs, mountain areas comprise 70% of Austrian territory and 58% of Utilised Agricultural Areas (UAAs). Austrian mountain areas are located in two of Europe's mountain massifs, the Alps (about 90% of Austrian mountain areas) and the Bohemian massif.

In addition to demarcation at municipal level, Austria has a classification system for mountain farms. This "mountain farmer registry point system" affects "farming disadvantage points" to individual mountain farms (in the "mountain farmer registry point system", points are in proportion of disadvantage).

II - AGRICULTURAL AND FOOD POLICIES

A - Specific to mountain areas

There is no "mountain law" as such in Austria. However, since the beginning of the 1970s, support for mountain farming has been prioritised by the establishment of a specific support programme. The "Mountain Farmers' Special Programme" did not focus only on site-specific farming difficulties but also attached importance to the social situation of farm households, targeted the preservation of mountain landscapes, incorporated the regional dimension, and reckoned with the needs of multifunctional mountain regions and mountain farming. Nevertheless, sectoral approaches have remained decisive. Over time, the priorities of the programme have shifted: direct payments—and in particular the mountain farmers' allowance—have become the predominant measure. This trend continued in the 1990s, when the title and philosophy of the programme was changed as part of a spatial policy package whose core measure—direct payments to mountain farmers—targeting the preservation of farm management has even been intensified since EU accession.

B - Non specific to mountain areas

Accession to the EU in 1995 and the changes in the neighbouring CEECs have represented the greatest shifts for the regional economy and also for Austria's mountain policy in recent years. Many of the Structural Funds Objective areas—as well as Community Initiatives Leader and Interreg—have predominantly been applied in many mountain regions. It can be estimated that about two thirds of these programmes were relevant to mountain areas. With the concentration of Structural Fund Programmes in 2000-2006, eligible areas and populations have been cut by a third. This creates greater difficulties in addressing the common issues of mountain areas.

Important for all mountain area farms is the Rural Development Programme for Austria (2000-2006), which aims to promote a competitive and environmentally sustainable agricultural sector while maintaining the importance of family farms. Three sets of objectives were defined: compensation for special services provided by farmers, preservation of assets with regard to the maintenance of holdings, and improving competitiveness. The total public cost of the programme is €6,618.7 million, including an EU contribution of €3,208.1 million from Guarantee strand of the European Agricultural Guidance and Guarantee Fund (EAGGF). The programme covers the whole of Austria. Specific support conditions apply to Austrian mountain farms under some of the measures of this programme (e.g. investment aid) and they receive 89% of LFA payments (total LFA payments account for roughly 26% of total programme funding). In addition to compensatory payments, which are specifically targeted at LFAs, support from the agri-environmental programme (ÖPUL) is extremely important in mountain areas. In 2002, compensatory payments and the agri-environment programme (ÖPUL) together accounted for 44% of the agricultural income of mountain farms. The agri-environment programme (€599 million/year) has major implications for mountain farms because their management systems correspond most closely to environmentally sound farming practices. Mountain farms receive about 45% of these funds, whereas they account for only 36% of Austrian farms. One of the most demanding environmental elements of the agri-environment programme relates to organic farming. In 2002, 81% of supported organic farms were mountain farms and the proportion of organic farming is even higher on farms facing substantial production difficulties.

Of great importance for mountain areas in Austria is also the Leader+ programme, which is implemented in eight Austrian regions (all regions except the urban region of Vienna). There are 56 local action groups (LAG), of which many in mountain regions. The main goals of Leader+ in Austria are: conservation, development and strengthening of functional, sustainable managed living space with regard to equal opportunities, income security, strengthening of regional identity, promotion of innovation and intensification of national and transnational cooperation.

III - PUBLIC QUALITY MARKS

A - Access to European designations

No prior national quality designation is required to get a European denomination.

The competent authority in Austria for PDOs and PGIs is the Austrian Patent Office, which belongs to the Federal Ministry of Transportation, Innovation and Technology. For TSGs, the competent authority is the Federal Ministry for Health and Women.

Companies are informed about PDOs, PGIs and TSGs via the websites of the Austrian Patent Office and the Federal Ministry of Agriculture and Forestry, Environment and Water Management (*although the latter is not directly competent*).

The Ministry of Agriculture and Forestry, Environment and Water Management will in the future place more emphasis on raising awareness about PDOs, PGIs and TSGs.

B - The AMA Quality Seal (AMA Gütesiegel)

See: www.ama.at

Agrarmarkt Austria (AMA) was set up as a legal entity under public law through the AMA Act of 1992. AMA was set up as a market regulation body; agricultural marketing was defined as an additional task. AMA is controlled by the Federal Minister of Agriculture and Forestry, Environment and Water Management. It was certified in 1999 as the EU's first market regulation body and paying agency pursuant to ISO standard 9001. By law, AMA has the obligation to promote agricultural marketing. It performs this task through Agrarmarkt Austria Marketing GesmbH., an AMA subsidiary. It is responsible for various quality assurance programs using different symbols for identification purposes.

Well known in Austria is the AMA Quality Seal (97% of the population is aware of its existence). It is also widely used (20,000 farms, i.e. nearly 10% of all farms). It is an origin and quality symbol providing consumers with the guarantee of foodstuffs of higher quality and identifiable origin subjected to independent controls. While not only relevant for mountain farms, it is especially important for them.

Logo of the AMA Quality Seal



C - Organic Farming (Austria Organic Label)

See: www.ama.at

In Austria, 81% of supported organic farms are mountain farms. This makes organic farming and the development of this sector very important for mountain areas. In 1994, the Austrian Ministry of Agriculture and Forestry introduced a label to guarantee product safety for consumers. The "Austria Bio-Zeichen" (Austria Organic Label) may be used by approved farmers, processors and trading companies. It guarantees that food bearing this label was obtained using organic farming techniques. The responsibility for this organic mark (AMA organic mark) is Agrarmarkt Austria Marketing GesmbH.

Logo of Austria Organic Label:



D - The "bos" symbol

Farming structures in the cattle-breeding sector are especially valuable because they guarantee the existence of a personal link between breeders and their animals. Whereas on average in Europe about every second cow belong to herds of more than 100 animals, the corresponding figure is only 3% in Austria. The average size of herds on Austrian farms totals about 20 heads of cattle, of which eight are dairy cows. Mountain farms with cows have an average stocking rate of nine units and less than 7% of them keep more than 20 cows. The bos symbol is an identification mark for beef guaranteeing

continuous traceability from birth to consumption. Agrarmarkt Austria Marketing GesmbH is responsible for this symbol too (www.ama.at).

Logo of "bos":



IV - PRIVATE MARKS WITH PUBLIC SUPPORTS

A - Organic farming

In Austria, there are three umbrella organisations governing organic farming. The largest umbrella organisation is ARGE Bio-Landbau, which was founded in 1984 (<http://www.bioinformation.at/>).

The largest organic agriculture organisation in Austria is "Bio Ernte Austria" (harvest for life), which is a member of ARGE Bio-Landbau. The guidelines of this organisation exceed legal requirements, thus ensuring safety in production and processing. The organisation was founded in 1979 with the aims of enhancing ecological agriculture, supplying people with healthy food and preserving an environment worth living in. With 11,667 member farmers (as of January 1999), it is the largest such organisation in Austria and Europe (87% of all organic farms).

Logo of Bio Ernte Austria (www.bio-ernte.at):



The second umbrella organisation is OEIG, which takes a critical view toward the current trend of marketing organic trade names via supermarkets. It is called "Oesterreichische Interessensgemeinschaft fuer biologische Landwirtschaft (ÖIG) and includes seven farming associations (<http://www.oekoland.at/oeig/index.html>).

Logo of ÖIG:



V - COLLECTIVE OR INDIVIDUAL PRIVATE BRANDS

Also important for mountain farms is the Austrian Organic Retailers Association (Verein zur Foerderung und Entwicklung des Naturkostfachhandels in Oesterreich, VNOe). VNOe was found in 1998. The founding group consisted of retailers, wholesalers, processors and farmers.

There are a lot of private brands which are important for farming in mountain areas. Under priority V (processing and marketing) of the Austrian Rural Development Programme, some of these brands receive partial support. In the dairy sector, not only organic labels are supported but also e.g. "quality

Tyrol", "Vorarlberger mountain cheese" and "Vorarlberger alpine pasture cheese". In the beef sector labels like "Hausruck-beef", "Organic Beef", "Styria beef" and "Quality Tyrol" are supported.

Logo of Styria beef (special organic beef label founded in 1983) as one example (<http://www.styria-beef.at/>):



Another interesting example is Bioalpine (Bio vom Berg). As part of this new project launched in Tyrol in 2002, organic products from Tyrol mountain farms are sold under a common brand to the Tyrol population (see: <http://www.bioalpin.at>).



"Holidays on farms" are another important source of income for mountain farms. Holiday themes include: bio and health; family farm holidays with babies and children; disabled-friendly farm holidays, wine-farm holidays, horse-farm holidays (<http://www.farmholidays.com/>). The Tyrolean and other mountain area sections are important to mountain farms (<http://www.bauernhof.cc/>).

Logo of holiday on farms:



In the early 1990s, booming organic products supplies led to their marketing via supermarket chains. Billa/Merkur launched the organic food brand "Ja! natuerlich" (Yes! Naturally") in 1994. By now, all major supermarket chains (including discounters) such as Spar (Natur pur), Adeg etc. have come to sell organic products. Intense marketing of organic brands by individual food chains has boosted consumer demand. While organic products have improved the image of supermarket chains, they have also made a contribution to the income of organic farms, of which—as already mentioned—81% are mountain farms. Only the logos of the two largest brands ("ja! Naetuerlich" and "Natur pur") are depicted in this paper but all labels and logos are available at:

<http://www.bhak-graz.ac.at/projekte/bio/bioMS.htm>.

Logos of the organic brand of supermarket chain Billa/Merkur

(<http://www.janatuerlich.at/janatuerlich/> and <http://www.erntebauern.at/janatuerlich.html>):



Logos of the organic brand of supermarket chain Spar (<http://www.spar.at/spar-at/index.html?url=/spar-at/angebote/sMarken/namen/naturPur/>):



SWITZERLAND

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I - DEFINITION OF MOUNTAIN AREAS

There are multiple definitions of "mountain area" in Switzerland. The term is defined differently respectively under regional and farming policies.

For farming, Switzerland operates from a farming production land register (Ordinance of 07 December 1998 on the Farming Production Land Register and the Demarcation of Areas), which divides UAAs (Utilised Agricultural Areas) into three types of areas (summering areas, mountain areas and plains) to ensure that adverse living and production conditions are taken into account.

Mountain areas are defined in accordance with a range of criteria associated to thresholds varying namely across regions and farm types. Conversely, (mountain) summering areas are defined very simply as areas where animals are present for up to 110 days a year.

Mountain areas and plains are in turn subdivided into four areas:

- Mountain areas are demarcated and subdivided according to criteria including prevailing weather conditions, transport infrastructure and land configuration.
- Plains are subdivided according to land configuration and adverse field crop farming and harvesting conditions. The boundaries of individual farming areas are transferred to 1/25,000 digital and paper maps.

Farming areas serve as a basis for a variety of farming and other policy measures under Federal Law. For example, general subsidies for sloping terrain are paid only in certain areas and payments to breeders and ecological payments are in proportion of adversity.

The present distribution of areas is the result of years of evolution. Since the initial demarcation of mountain areas took place in the 1930s (using the 800m contour line), their layout has been further developed and improved, first by setting a standard limit to define mountain areas, and later by defining these areas in the animal production land register (taking a multiplicity of criteria into account). It is following the definition of mountain areas that first plains, and later summering areas were defined.

II - AGRICULTURAL AND FOOD POLICIES

A - Specific to mountain areas

The Swiss Confederation supports farming under Constitutional Terms of Reference. One of the most important measures consists in direct payments (Federal Law 910.1 on Agriculture of 29 April 1998 and Ordinance 910.13 of 07 December 1998 on Direct Payments to Farmers).

The aim of direct payments is to indemnify the providers of non-marketable services required by society (e.g. rural landscape maintenance, preserving biodiversity, etc.). The objective of these payments is to ensure that farmers earn a fair living.

These payments are especially important for mountain farmers, as living and working conditions there are much harsher compared to those prevailing in the lowlands. For mountain farms, direct payments are a source of income which farmers can hardly do without. Roughly CHF 2 billion are spent in direct payments across Switzerland. Some 64% of this amount is paid in hill and mountain areas.

Finances are not allocated unconditionally: farmers need to provide certain services in return. Actually, many conditions are attached to direct payments to ensure that they are used wisely. Some of these conditions include minimum farm size (0.3 labour unit), farmer age (maximum 65) as well as compliance with animal health and environmental needs. Along with economic and social factors, the aim is also to evolve toward farming practices that meet ecological requirements. Part-time farmers are entitled to direct payments too.

Generic direct payments

- Payments per unit of land: the largest source of direct payments, they are allocated to all UAAs, whether extensive or highly intensive.
- Payments for care of roughage-fed animals: cattle, sheep, horses, goats, bison, deer, llamas and alpacas.
- Payments for care of animals in adverse conditions*: conditions vary according to individual areas.
- Payments for sloping terrain*: applicable to sloping UAAs (minimum mean gradient: 18%).

Ecological (“Green”) direct payments

- Ecological payments: (i) for the care of commercial animals with special attention to animal welfare and species preservation, (ii) to compensate farmers for specific environmental care (floral fallow land, standard fruit-bearing trees, etc.), and (iii) organic farming practices.
- Summering payments*: designed to avoid encouraging more intensive summering practices leading to overexploitation of summering land. In addition, sheep summering is encouraged by a system promoting yardage and the recruitment of shepherds.
- Payments for the preservation of water resources.

**Direct payments specifically earmarked for mountain farms.*

The means available to the Swiss Confederation in promoting mountain farming (under Ordinance 913 on Structural Improvements) include:

- Structural improvement payments. These grants (co-funded by the Cantons), amounting to around CHF 100 million—two thirds of which go to mountain areas—, serve to improve land and rural buildings: new paths, rural development, water conveyance, repair work after bad weather and construction of barns.
- Capital investment loans. The Swiss Confederation lends about CHF 300 million annually in this form for use in building and improving farms, barns, mountain pastures, etc.
- Operating support in the form of bridging loans to assist farmers in avoiding or overcoming temporary financial shortages. Roughly CHF 30 million are allocated annually in this form.

The above is not an exhaustive list; it shows that agricultural policies have not abandoned mountain farming. Despite all these measures, farm revenues remain extremely low.

III - PUBLIC QUALITY MARKS

A - “Mountain Cheese” and “Mountain Pasture Cheese”

According to Ordinance 910.91 of 1998 on Farming Terminology and the Recognition of Farm Types, protection of mountain products only exists for mountain cheese and mountain pasture cheese.

- Mountain cheese (“fromage de montagne”) means cheese produced from milk obtained on mountain farms and processed in a facility located in a mountain area.
- Mountain pasture cheese (“fromage d’alpage”) must be produced in a summering farm from milk obtained in the summering area itself.

The other mountain products are not protected.

A private initiative was set up to market and advertise Swiss mountain pasture cheese:

<http://www.fromagedalpage.ch>

B - Access to European denominations

Applicable legislation in this field allows for mutual recognition of quality Swiss and EU products (Bilateral Agreements Switzerland-UE: in force since 01 June 2002)

C - Protected Designations of Origin (PDOs) and Protected Geographical Indications (PGIs)

<http://www.aoc-igp.ch>

Registered designations of origin (PDOs) and geographical indications (PGIs) protect geographical and traditional designations of agricultural products (other than wine) whose identity and defining characteristics stem from their origin. Once a denomination is protected, its use is limited to producers of demarcated area who comply with detailed production specifications. The Ordinance on Protected Designations of Origin and Geographical Indications for Unprocessed and Processed Agricultural Products entered into force on 28 May 1997 (Ordinance 910.12 on PDOs and PGIs).

Registered designations of origin:

- "Abricotine" (strong apricot liquor from Valais)
- "Viande des Grisons" (Grisons meat)
- "Cardon épineux genevois" (Thorny cardoon from Geneva)
- "Eau-de-vie de poire du Valais" (strong pear liquor from Valais)
- "Formaggio d'alpe ticinese" (mountain pasture cheese from Ticino)
- Etivaz cheese
- Gruyere cheese
- "Rheintaler Ribel" (a special brand of maize flour from the Cantons of Saint-Gall and Grisons)
- Sausage from Ajoie
- (Dry) sausage from Neuchâtel
- Sbrinz cheese
- "Tête de Moine" (cheese from Jura)
- "Vacherin Mont-d'Or" (cheese from Vaud)
- "Viande séchée du Valais" (dry meat from Valais)
- "Pain de seigle valaisan" (rye bread from Valais)

There is no common brand, each product having developed its own communication and logo.

IV - PRIVATE MARKS WITH PUBLIC SUPPORT

A - Swiss Culinary Heritage Inventory

CAUTION: This initiative is not a brand, nor is it intended to become one.

Set up in 2004, the Culinary Heritage Association aims to produce an inventory of Swiss food products to advertise and promote them more efficiently. The first census includes around 600 farm or processed foods with a geographical and historical link to specific areas. This inventory is funded by the Federal government.

The Swiss Culinary Heritage Inventory is designed as a cultural and economic contribution to the preservation of the diversity of local know-how and products in plains and mountains, cities and the country alike. In addition to the compilation of data about this important side of Switzerland's

heritage, it seeks to showcase regions' vast culinary traditions and improve producers' and consumers' awareness of regional products, thereby furthering their development. This initiative is especially welcome at a time when Switzerland's agriculture is undergoing radical change and supports the case against food taste uniformity.

The Swiss Culinary Heritage Inventory will first be made publicly available to interested audiences in a computerised database and will later be published as a reference book available in the three national languages (products from the Grisons will also be presented in Romansh).

V - COLLECTIVE OR INDIVIDUAL PRIVATE BRANDS

A - "Un produit des montagnes suisses" (a Swiss mountain product)

<http://www.sab.ch/index.html>

In 1996, the "Groupement suisse pour les régions de montagne" (SAB, Swiss Mountain Areas Group) registered a brand called "Un produit des montagnes suisses" ("A Swiss Mountain Product"), which guarantees the mountain origin of products. Food products obtained and processed in mountain areas (as defined by Federal law) are allowed to use the brand (e.g. mountain [pasture] cheese, mountain honey, aromatic plants, etc.), as well as other products and services, provided that 2/3 of their added value is generated in mountain areas (e.g. wood sculptures). The brand defines product origin but not quality.

This brand strengthens cooperation among producers. It also promotes interaction between producers and buyers. Furthermore, SAB organises training on marketing issues and the preservation of production quality. These courses also provide producers with an opportunity to exchange experiences.

To date, membership of this association includes four cheese dairies and farmers from two small valleys as well as the members of the Swiss Association of Aromatic Herbs Producers.



B - Other Brands

There are many private brands developed by the producers of individual valleys or region who sell their products under a common brand.

Worth mentioning are for example:

- "Les produits du terroir vaudois" (Regional products of Vaud):

<http://www.produits-du-terroir.ch/>

- "Die Produkte aus dem Entlebuch" (Products of Entlebuch):

<http://www.biosphaere.ch/pages/frame/fe1.html>

- "Les produits du canton du Jura" (Products from the Canton of Jura):

<http://www.jura.ch/specialite/>

GREAT BRITAIN - Scotland

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(Highlands and Island Enterprise)

I - DEFINITION OF MOUNTAIN AREAS

There is **no official** definition of a mountain area in the UK. The only mountain classifications in common usage in Scotland are those used by the mountaineering fraternity. These classify mountain peaks into two categories – those over 750m (known as Corbetts) and those over 900m (known as Munroes). Scotland's highest mountain is Ben Nevis (1,344m).

In the absence of an official definition, the Scottish partner has taken the mountain study area to be the Highlands of Scotland which includes practically all the main mountain ranges in Scotland. Unlike the mountain massifs in Europe, such as the Alps, the Pyrenees and the Jura mountains, the mountain ranges in Scotland are compact and small in area. Another important characteristic is that their associated valleys and glens have a relatively low altitude, typically 200m – 500m.

The Scottish mountains are associated with high rainfall, high exposure, poor quality and unproductive peat soils, and a very short growing season. This harsh and unproductive environment has resulted in a very low population density with people living by necessity in lower ground areas, using only the higher areas for summer grazing. Forestry, too, is limited by the climate and soil type. In the Scottish Highlands, the tree line is typically about 450 m, but it can be below 100 m on exposed moorland.

The close proximity of many of the mountain ranges to sea lochs and to the sea (which are highly productive) means that many communities associated with the mountains are located by the coast or on the shores of the sea lochs, with much of the economic activity of these communities being generated from the sea.

II - AGRICULTURAL AND FOOD POLICIES

A - Description of agricultural policy

As there is no official designation for mountain areas in Scotland, there are no specific government or regional policies for mountain areas. However, the mountain communities in the study area do benefit from a range of policies and funding programmes which cover the whole of the Highlands & Islands of Scotland.

The Highlands & Islands of Scotland is one of the most sparsely populated and geographically peripheral regions in the EU. Over many generations, it exhibited both economic and population decline. In the late 1960's, the UK Government established a government-funded development agency to tackle the economic and social challenges in the area. This work is now undertaken by Highlands & Islands Enterprise (HIE) and its network of locally based Local Enterprise Companies.

Through a range of support mechanisms, the HIE Network fulfils its objectives of growing businesses, developing skills amongst the population, and strengthening local communities. This includes financial support towards new commercial projects being undertaken by local businesses; the provision of

industrial property; staff development and training, as well as support towards group marketing undertaken on a geographical or industry sector basis.

In addition to Scottish Executive funding (the devolved government in Scotland), the Highlands & Islands of Scotland area has also benefited from EU Objective 1 funding over an extended period, and is currently in a six-year period of transitional funding.

III - PUBLIC QUALITY MARKS

A - General aspects

The management of quality marks is mainly undertaken by producers' associations, with independent certification being undertaken by EN45011 accredited organisations.

The main trend has been the establishment of product certification schemes for untransformed products. These schemes generally cover the whole of Scotland and are established by a producers association. The producers association will own the standards and the quality mark, and undertake promotion of the mark. Generally they will commission an accredited body to compile the standards to ensure they are acceptable under EN45011.

The majority of the membership of the producers association will be producers, but generally it will also include other organisations in the supply chain.

B - Access to European designations

There has been little use of PDO or PGI registration in Scotland. There are only five such registered products. The reasons for this are:

- Scotland did not have its own registration scheme for the geographical origin of products, nor did they have products already with a national registration of geographical origin ready to apply for PDO or PGI.
- Retailers and consumers in the UK have a very low knowledge and understanding of PDO and PGI and their logos, so there is little marketing advantage gained in the UK market to having this mark on one's product.

C - UK Laws providing Protection to Geographical Products - Scotch Whisky

See : www.scotch-whisky.org.uk

The UK typically does not legislate in order to provide a degree of protection to particular products. One exception is Scotch Whisky, which is a major employer and contributor to the economy in the Highlands of Scotland. 71 of the 98 whisky distilleries in Scotland are located in the study area.

Scotch Whisky is a premium spirit which enjoys huge global sales. As a result, there are many companies outwith Scotland who have in the past, and today still seek to, produce a type of whisky and try to pass it off as Scotch Whisky.

To counter this, Scotch Whisky has been defined in UK Law since 1933 and recognised in EU Law since 1989. The current UK legislation relating specifically to Scotch whisky is the Scotch Whisky Act 1988 and the Scotch Whisky Order 1990. This legislation defines what can be called "Scotch Whisky". This definition not only defines that spirit labelled as Scotch whisky can only be produced in Scotland, but also defines the distilling process, maturation process, and the alcohol content.

This legislation ensures that only whisky produced in Scotland can be labelled as Scottish Whisky, thus protecting the interests of Scotch whisky producers in markets throughout the world, and securing their financial returns. It is, therefore, extremely important to the Highlands of Scotland given the number of distilleries located in the region. Such product protection is also important given the time Scotch whisky has to be matured between initial production and final sale – between 3 and 18 years.

IV - PRIVATE MARKS WITH PUBLIC SUPPORT

Historically, much more emphasis has been placed on corporate branding (ie. the brands of individual companies) rather than collective branding in the food and drink sector in the UK. With the UK retail food market being dominated by five big supermarket companies, this trend continues. The supermarkets promote their brands as the mark of quality, though they underpin this by buying products backed by some form of accreditation or certification, wherever possible.

A - Tartan Quality Mark for Quality Approved Scottish Salmon

See : www.scottishsalmon.co.uk

Tartan Quality Mark (TQM) for Quality Approved Scottish Salmon was set-up in 1988. The owner of this Quality Mark is Scottish Quality Salmon Ltd. The geographical boundary for the source of the on-grown salmon is Scotland.

- This quality mark implies a guarantee of typical quality of the product and its origin.
- The type of quality that is represented by this mark relates to organoleptic, environmental, ethical and sustainable, hygienic and sanitary aspects of the product, as well as traceability.
- Certification is undertaken by an independent organisation.
- The mark has its own logo. Location of the official identification is Scotland.
- The mark does not mention supplementary indications on product to identify "mountain" origin or other equivalent terms, because no identification for mountain exists in UK.
- The mark is used throughout Europe, but predominantly in the UK and France.



The geographical boundary for the source of the on-grown salmon is Scotland. However, processors outwith Scotland can be members of the quality scheme and use the Tartan Quality Mark. These processors require adhering to all the standards within the scheme, including sourcing all the salmon which carries the Mark from a TQM salmon producer in Scotland.

The TQM not only aims to assure retailers and consumers that the salmon is Scottish, but also that the salmon has been produced to the strict standards of an independently accredited product certification scheme. In fact, each salmon, whether whole, filleted or cuts in consumer packs can be traced back to source. Such whole chain assurance also helps secure market share and price premium by meeting the requirements of buying organisations who require product certification or traceability.

The TQM is an important marketing tool for the members of the scheme because production and consumption of farmed salmon is now global, and Scotland is just one of a number of major producing countries in the world, with Norway being by far the largest producer.

The TQM provides authentication of the country of origin of Scottish salmon, and the logo on the product enables targeted trade and consumer promotion to be undertaken to stimulate product purchase. This helps to secure market share in markets where there is a preference for Scottish salmon and, in some cases, may help also secure a price premium.

The rigorous product certification standards enabled TQM salmon to be awarded Label Rouge. This increased market share in France, the main export market for Scottish salmon, and secured a premium price.

A quality assurance scheme of this type does carry with it significant cost implications to producers and processors who are members of the TQM scheme. These are in terms of such things as meeting the standards, the cost of inspections, as well as expenditure to promote the Mark. Such costs are a deterrent to smaller producers who may aspire to the aims of the Mark but cannot afford to join it.

SPAIN – Andalusia and Basque Country

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I - DEFINITION OF MOUNTAIN AREAS

Prior to its integration in the EEC in 1996, Spain had established a complex legislation on the official definition of Mountain Area, beginning with the Law 25/82 (BOE 10, July 1982) and its development in several editions (BOE 8 June 1985, BOE 9 June 1986 and BOE 31 July 1987).

According to Law 25/82 in order to be defined as mountain area:

- at least 80% of the territory has a minimum altitude of 1.000 m, with the exception of flat uplands devoted to agriculture;
- an average slope higher than 20%, and/or a range above 400 m between the lowest and the highest points.

Still, as mountain areas are also considered:

- areas with agriculture as the main activity (percentage of agricultural employment more than double the national average);
- areas with at least 80% above 600 m and average slope above 10%.
- where the agricultural potential is lower than 4 according to the Turc index (technical index).
- seasonal index (technical index) winter plus summer lower than 1.

Directory of Spanish less developed agriculture areas (LDA) according to Directive 75/268/EC:

- Following the Directive of the Council, 14 July 1986 (86/466/EC) there are 38,548,100 ha of LDA in Spain. The area was increased by the Commission agreement of 16 October 1989 (89/566/EC) up to 39,035,820 ha, which represent 77.3% of Spanish territory and 63.8% of the agricultural land (36.9% of population and 71.1% of municipalities). More than half of this area (52.8%) is mountain area, with 42.4% with depopulation risk and 4.8% with specific limitations.

Mountains Areas in Andalusia

The total area of Andalusia is 8,729,370 ha, with 54% classified as mountain area, 23% with depopulation risk and 6.2% with specific limitations. Overall, 73.2% of the Andalusian territory is classified as Less Developed Area.

Mountain Area of the CAPV (Autonomous Community of the Basque Country)

The territory of the CAPV has a surface area of 7.234 km², close to 82% of which is classified as Mountain Area according to EC 1257/1999 Regulation on Support for Rural Development from the European Agricultural Guidance and Guarantee Fund (EAGGF). 4% is included in the categories of Areas with Specific Limitations and Other Less Favoured areas according to the same classification. The whole territory of the CAPV is influenced by its mountainous relief and the particular climatic conditions conditioned by this topography.

III - PUBLIC QUALITY MARKS

A - Access to European designations

The process leading to the Community protection of products with the distinction of *Denominación de Origen* and *Denominación Específica* is different for wines (not included in the EEC 2081/92 Regulation) than the rest of products.

Products that are not wines

The respective Autonomous Community, according to Royal Decree 1643/99 that regulates the procedure to follow with respect to the applications for inscription in the Community Registry of PDOs and PGIs⁶, sends a proposal to the MAPA (Ministerio de Agricultura, Pesca y Alimentación), who transfers it to the EC.

When the production area of the product includes more than one Autonomous Community, it is the MAPA, in agreement with the involved Autonomous Communities, who directly sends the proposal to the EC. Once this proposal approved by the EC, the "National Transitory Protection" will take place by means of the approval of the respective regulation by the Government of the Autonomous Community and its posterior ratification by the MAPA. Later on, the ratification by the EC leads to the definitive registration as PDO or PGI.

Even if this is the most common procedure, the "National Transitory Protection" is not compulsory and it is possible to wait for the definitive Community protection without going through it.

Wines

For wines, the MAPA directly decides the national protection of the wine according to the national legislation. Later on, the MAPA communicates this registration to the EC that automatically registers the wine as Quality Wine Produced in Specific Region according to EC 753/2002 Regulation.

The recent Law 24/2003 regarding vineyards and wines⁷ establishes four levels of distinction within the category of Quality Wine Produced in Specific Region:

- Wine of Quality with Geographic Indication,
- Wine with Designation of Origin,
- Wine with Qualified Designation of Origin
- Wines of Payment.

B - Public Marks at National Level

The main Public Quality Marks studied are described below.

B-1 - Denominación de Origen and Denominación Específica/ PDO and PGI

The Spanish system for designations of origin was defined in 1970 with the implementation of the Law 25/1970⁸, only for wines at the beginning, and then extended to other products.

⁶ Real Decreto 1643/99, de 22 de octubre, por el que se regula el procedimiento para la tramitación de las solicitudes de inscripción en el Registro Comunitario de las Denominaciones de Origen Protegidas y de las Indicaciones Geográficas Protegidas

⁷ Ley 24/2003, de 10 de julio, de la viña y el vino

⁸ Ley 25/1970, de 3 de diciembre, Estatuto de la Viña, del Vino y de los Alcoholes

This law established two protection levels by means of the designations *Denominación de Origen* and *Denominación Específica*. That former law has been completed by:

- 1/ the Royal Decree 1573/1985 that regulates the specific and generic designations of food products⁹,
- 2/ the Royal Decree 728/1988 that states the standards to be accomplished by the origin, specific and generic designations¹⁰

The definitions of *Denominación de Origen* and *Denominación Específica* are nearly the same as the EEC 2081/92 Regulation for PDOs and PGIs. Equivalence of the national designations with the European ones has been established in the national Order of 25 January 1994 (B.O.E. 27/1/94).

The National Institute for Designations of Origin (INDO) was created in 1970 and it is in charge of procedures and controls carried out by Regulatory Councils for designations of origin. These Regulatory Councils carry the management of each *Denominación de Origen* or *Denominación Específica*. They depend on Public Administration but have a certain level of autonomy. Producers and manufacturers involved are represented.

In many cases producer associations (mainly sectoral producer associations), under the supervision of the Public Administration, have been implementing these designations.

B-2 - Produccion Ecologica (Organic Products)

This denomination was granted from 1988 onwards to agro-food products obtained without using synthetic chemical products. In 1989 the name changed to "*Agricultura ecológica*". Nowadays the Spanish denomination is ruled under EC 2092/91 Regulation and completed with EC 1804/1999 Regulation and modifications.

Procedures of accreditation and controls, specified in the Royal Decree 1852/93¹¹ are carried out by Autonomous Communities. A national body called CRAE (Regulatory Commission for Organic Agriculture) has been created to deal with harmonization and regulations.

Access to European protection

EEC 2092/91 Regulation is directly applied by the Public Administration of the Autonomous Communities. A registration of the producers is carried out at Autonomous Community level. Later on, these data are sent to the MAPA, who communicates them to the EC.

In Andalusia

See: <http://www.caae.es/>



Community Regulations involve two control systems: one private, provides the initial certification (five private control bodies exist in Andalusia) then the public authorities that deliver the official certification. The private certifying bodies are under the responsibility of the Council for Agriculture and Fisheries of "Junta de Andalucía".

The packaging of products "Agricultura Ecológica" has to carry a numbered label, together with a specific logo including the name and code of the Control Body and the mention "Agricultura Ecológica". Labels must also be validated by control authorities (as CAEE <http://www.caae.es/>). Each

⁹ Real Decreto 1573/1985, de 1 de julio, por el que se regulan las denominaciones genéricas y específicas de productos alimentarios

¹⁰ Real Decreto 728/1988, de 8 de julio, por el que se establece la normativa a que deben ajustarse las denominaciones de origen, específicas y genéricas, de productos agroalimentarios no vínicos

¹¹ Real Decreto 1852/93, de 22 de octubre de 1993, sobre producción agrícola ecológica y sus indicaciones en los productos agroalimentarios

farm from Andalusia that wants to label their products as organic must receive a licence and a certificate for conformity.

In the CAPV¹²:



EEC 2092/91 Regulation is directly applied by the Public Administration of the CAPV through the Decree 229/1996 that regulates Organic Farming in the CAPV in terms of production, process and commercialisation, also establishing the Basque Council for Organic Farming¹³.

The Council of Organic Farming, attached to the Agriculture and Fishery Department, is the body in charge of control and inspections of organic production in the CAPV. This body maintains a registry of every producer, manufacturer or importing enterprise involved, and checks that regulations of Organic Farming are being respected before authorising the use of the Organic Farming label of the CAPV.

Producers and manufacturers working with Organic Farming in the CAPV are organised in three Associations (one per each Historic Territory) which are assembled in a federation called Federación Ekonekazaritza. This federation is one of the main interlocutors of the productive sector in relation with the Public Administration.

Remarks

In areas where, due to limitations related to e.g. mountainous topography etc., it is difficult to compete with more intensive agriculture systems in terms of volumes and prices, this quality mark can provide a competitive differential element on products.

It involves environmentally friendly production techniques that favour the conservation of the natural environment of mountain areas.

¹² Autonomous Community of the Basque Country

¹³ Decreto 229/1996, de 24 de septiembre, por el que se regula en la CAPV, la producción agraria ecológica, su elaboración y comercialización, y se crea el Consejo Vasco de la Producción Agraria Ecológica

C - Public Marks in the Autonomous Community of Andalusia

C-1 - Producción Integrada - Integrated production



The "Producción Integrada" label belongs to the Council for Agriculture and Fisheries of "Junta de Andalucía". The label deals with the concept of integrated production¹⁴ and the rational handling of the remaining components of the agro ecosystems, seeking to optimize the extrinsic and intrinsic quality of the crop¹⁵. The International Organization for Biological Pest Management (O.I.L.B.) is one of the pioneers in this field.

Some Autonomous Communities have taken the initiative to develop their own legislation on integrated production. The first national basic regulation did not come out before December 2002 with the Royal Decree 1201/2002¹⁶. The development of this regulation in Andalusia (Órden de 26 de Junio de 1996 BOJA 77 de 6 de Julio de 1996) includes general requirements to be complied by any association that wants to be included in the Integrated Production System and to use of the label. It also establishes the general rules for all the exploitations integrated in these Associations

C-2 - Calidad Certificada

See: http://www.juntadeandalucia.es/agriculturaypesca/calidadCertificada/home_flash.html

Already in 1989, the "Alimentos de Andalucía" Council of Agriculture and Fisheries from "Junta de Andalucía" distinguished the products that fulfilled the highest requirements of quality. More than 600 Andalusian products were covered under this label.

In 1992, European Union regulations established a distinction between quality certifications and geographical references. For that reason the denomination "Alimentos de Andalucía" was abolished in 2000.

In the framework of the Plan for Modernization of the Andalusian Agriculture, the Council of Agriculture and Fisheries started promoting agricultural and fishing products under a new mark:



CALIDAD CERTIFICADA

"Calidad Certificada" (Órden 242/2001, of November 6). It identifies products with quality, health security and respect for the environment. The owner of this mark is the "Dirección General de Industrias y Promoción Agroalimentaria".

The authorization of the use of the mark is granted for a five year term; at the end of this period, after checking that the products complied with all the requirements, the company will be able to renew it.



¹⁴ The origin of the concept was born in a meeting of a group of researchers in Ovronnaz (Switzerland) in 1977. In September of 1990 the European Council published a document that defined the Integrated Production, describing the basic strategies, and establishing technical guidelines and norms for its practice. There on the concept of Integrated Production is understood as a system of production of high quality food through sustainable methods that are environmentally friendly, maintaining the profitability of the agricultural farms, contemplating the social demands in connection with the functions of agriculture, and agreeing with the requirements settled down for each product in the corresponding Specific Regulation of Production.

¹⁵ Gentleman, 1998

¹⁶ Real Decreto 1201/2002, de 20 de Noviembre, por el que se regula la producción integrada de productos agrícolas

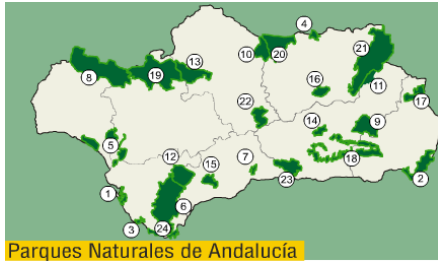
Remarks:

- The brand contributes to provide consumer security and trust
- It has been actively publicised by television, radio, newspaper and internet.
- It facilitates access to national and international markets.
- It supports access to fairs.

C-3 - “Parque Natural de Andalucía” Brand - Natural Park of Andalusia

See: <http://www.juntadeandalucia.es/medioambiente/adapt/marcaindice.html>

Natural Parks in Andalusia are alive and dynamic territories where the Environment Council of “Junta de Andalucía” with other institutions and organisms, is promoting and supporting sustainable development with measures that favour the quality of life of the population living there. “Parque Natural de Andalucía” brand is a pioneer initiative in the Spanish territory aimed to reinforce the identity of population and to offer to Natural Park visitors some natural handmade products, and differentiated services, associated with the environmental values of Natural Parks.



The mark “Parque Natural de Andalucía” is applicable to the natural and manufactured products grown in the Andalusian Natural Parks environment. These areas have less than 100.000 inhabitants.

The adhesion of the products or services to the brand “Natural Park of Andalusia” supposes, on the part of the companies, a commitment to products of quality, environmentally friendly and locally handmade.



It offers to the enterprises the following advantages:

- A network for the exchange of professional and management experiences.
- A vehicle for the promotion and diffusion of products and services through a WEB site belonging to the Environment Council, as well as a set of common actions such as participation in commercial fairs, exhibitions, congresses, edition of promotional material, etc.
- New marketing channels like the points of tourist information and the hotels and restaurants supporting this mark.

D - Other Public Marks of the Autonomous Community of the Basque Country

D-1 - Producción Integrada - Integrated production

See: www.elika.net

The CAPV¹⁷ has developed its own legislation on integrated production, even in the absence of this kind of production so far. It involves a utilisation of natural mechanisms, aiming at a more environmentally sustainable agriculture and healthier products, at the same time trying to be compatible with social requirements in terms of productivity.

The basic legislation regarding this production system in the CAPV is given by the Decree 31/2001 of the Agriculture and Fishery Department¹⁸. An organisation has been created attached to the Agriculture and Fishery Department which is in charge of consultation, collaboration and co-ordination functions dealing with this production system. There are various Technical Committees within this Co-ordination Commission in charge of developing and checking specific Technical Standards. Producers and manufacturers fulfilling the requirements of the Technical Standards will be allowed to use the indication "Producción Integrada".

The Agriculture and Fishery Department of the Autonomous Community will carry a registration of producers and manufacturers working with this production system. A Monitoring and Verification Body (Kalitatea Fundazioa) has been assigned to verify the registered data as well as to ensure that producers and manufacturers accomplish all the requisites given in the respective Technical Standards.

14 Technical Standards of Integrated Production have already been developed in the CAPV since 2003, and Technical Standards for five more products are currently being prepared.

IV - PRIVATE MARKS WITH PUBLIC SUPPORT

In Spain every private mark is registered in the national Registro de Patentes y Marcas (Patent and Mark Registry). In general terms, it's not possible to use a geographic name or an origin in the framework of brand out of an official national or regional system. Only in the case of the brands defined as Mark of Guarantee or Collective Mark in the national Law 17/2001¹⁹ a private mark can include a geographic name or origin.

¹⁷ Autonomous Community of the Basque Country

¹⁸ Decreto 31/2001, de 13 de febrero, sobre Producción Integrada y su indicación en productos agroalimentarios

¹⁹ Ley 17/2001, de 7 de diciembre, de Marcas

A - Marks in the Autonomous Community of Andalusia: LANDALUZ

See : <http://www.landalmaz.es>

In 1989, through the denomination "Alimentos de Andalucía" the Council of Agriculture and Fisheries of Junta de Andalucía identified products that fulfilled the highest quality requirements. More than 600 Andalusian products were registered under this label.

In 1992, the European Commission required the dissociation of quality certifications and geographical references that lead to the dissolution of "Alimentos de Andalucía" in 2000.



The previous brand was transformed into "LANDALUZ", to be managed by the Food Quality Business Association that includes about 100 enterprises and more than 500 products. It is the most prestigious Association in this field in Andalusia.

The Food Quality Business Association has an agreement with Bureau Veritas España S.A. for the implementation of an ambitious quality plan, which includes the certification of all the enterprises with quality standards beyond the minimum requirements of the Technical and Sanitary Norms.

The Association is also conducting important promotion work with hyper- and supermarket companies in Spain, and some other activities in other countries. It is also managing a Supply Central.

B - Marks of the Autonomous Community of the Basque Country : Eusko Label Kalitatea

See: www.euskolabel.net



This mark was created by the Basque Government in 19/09/1989 as a public official mark in order to provide an instrument for the producers of the CAPV to distinguish and make appreciated their products in the market and to become more competitive. The official text regulating the mark was the Decree 198/89 of the Basque Government regarding the creation of the Basque Label of Alimentary Quality²⁰.

Currently Eusko Label Kalitatea is a private Guarantee Mark, whose owner (non profit making private organisation "Kalitatea Fundazioa") lets it to be used by all the producers fulfilling the requisites given in the Technical Regulations of the different products. These Technical Regulations are private, except in the case of Euskal Okela (Basque Bovine Meat), which is has been provisionally approved by the EU to be registered as PGI 3 September 2003.

The geographical boundary of the mark is CAPV²¹. It implies a guarantee of a typical quality, a source or an origin. The qualities focussed on are a high organoleptic or sensorial quality, hygienic and sanitary quality, traceability and transparency of information, as well as various ethical, social, economic, cultural, and in some cases environmental criteria.

The official identification of the product is:

- a logo of the mark "Eusko Label Kalitatea" as well as the specific logo of each product;

²⁰ Decreto 198/1989 de 19 de septiembre por el que se crea el Label Vasco de Calidad Alimentaria

²¹ Autonomous Community of the Basque Country

- the name of the product: Euskal Okela (Basque Bovine Meat), Euskal Babarruna (Basque Bean), etc.
- Other types of identification are:
 - In some products mentions regarding aspects of the breeding or culture required by the Technical Regulation of the product that suppose an added value are included
 - Some product names also include the term "Quality".

The conditions to use supplementary indicators on origin are: only those mentions regarding origin that Kalitatea Fundazioa estimates that are not negative for the general interests of the mark are authorised. Mentions referent to the social seat of the producer/manufacturer can also be included, but always with an adequate typography that makes possible to discriminate it from the name of the mark.

The products using this mark do not include any mention on their mountain origin. One reason is that the mark Eusko Label Kalitatea is directly associated with the particularities of the territory, including mountains.

According to recent polls, the mark Eusko Label Kalitatea is known by 86% of the population of the CAPV. Even if its reputation is mainly regional, some of the products using this mark are also known at state level (e.g. Chilli Peppers from Ibarra, Basque Beans) and even at European level (Basque Bovine Meat). Nowadays, 4898 farms are working with at least one of the 12 products of this mark and 88 process enterprises are also involved.

Remarks

The quality mark is an instrument in much demand by an increasing segment of Basque consumers, since it provides some positive aspects such as:

- adequate and concrete information about what it is being bought.
- identify the origin and the characteristics of the products.
- protects against fraud related to imitations or disloyal practices.
- guarantees an exigent level of quality and the authenticity of the product.

This mark is also contributing to the recuperation of some products that were close to being lost from the farms, such as the farm-house chicken or the type of slow growth tomato used for the Basque Quality Tomato.

Some difficulties faced

The main obstacles faced by this mark are:

- The production of many of these products is seasonal, so it is difficult to promote them without confusing the consumer, who does not always have access to the product.
- Often, the volumes of production are low, so it is difficult to access big distribution media. In the same way, the study territory is a quite particular mountain area that shelters a high population, so there will always remain a market for imported products that will compete with local products.
- Many farms are small and non professional.



V - COLLECTIVE AND INDIVIDUAL PRIVATE BRANDS

See : www.oepm.es

In Spain every Private Mark is registered in the "Registro de Patentes y Marcas" (Patent and Mark Registry). It is not possible to use a geographic name or an origin in the framework of a mark out of an official national or regional system. It can be used only in the case of those marks defined as Mark of Guarantee or Collective Mark in the national Law 17/2001 de Marcas²²

²² Ley 17/2001, de 7 de diciembre, de Marcas

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I - DEFINITION OF MOUNTAIN AREAS

In France, the notion of “mountain areas” appeared in 1961. It was clarified in 1975 within the framework of a European Directive (75/268/EEC).

Mountain areas include municipalities or parts of municipalities characterised by:

- high altitude—above 700m, except for the Vosges Massif (600m) and the Mediterranean mountains (800m)—and harsh climate resulting in a shorter vegetation season; or
- steep slopes (more than 20%) at lower altitude in at least 80% of the territory, severely complicating mechanisation or imposing the use of very expensive equipment; or
- a combination of the two factors above.

II - AGRICULTURAL AND FOOD POLICIES

A - The “Mountain” Law

Some parts are extracted from La montagne” Documentation Française – DATAR – Paris 2002

The “Mountain” Law (n°85-30 of 09 January 1985) is considered to be the first French Law that links economic development with environmental protection.

This Law on the development and protection of mountain areas was recently amended by:

- Law n° 99-533 of 25 June 1999 on rural planning and sustainable area development;
- Law n° 2000-1208 of 13 December 2000 on solidarity and urban renewal;
- Law n° 2002-276 of 27 February 2002 on local democracy.

As regards the two essential strands of the Mountain Law, i.e. “national solidarity to compensate natural handicaps” and “recognition of mountain specificities”, the State developed a supporting policy for mountain agriculture, whose main aspects are:

- support to farmers,
- support for development that promotes sound area management,
- support for the promotion of quality agricultural products,
- measures to prevent natural risks,
- rural development policy for fragile areas.

Provision under the “mountain” law is financed by FNADT (Fonds National d’Aménagement et de Développement du Territoire, *National Spatial Planning and Development Fund*) and ERDF Objective 2 funding is redistributed locally by the Interregional Convention of the Massif.

B - Horizontal Policies

Mountain farmers also benefit from policies which are not specific to mountain area, including agro-environmental measures, an approach which is quite interesting for mountain areas. In France, *Sustainable Agriculture Contracts* ("Contrats d'Agriculture Durable"), which are drawn up with individual farmers on a voluntary basis, include:

- a compulsory section covering the territorial and environmental aspects including agro-environmental environmental protection measures (e.g. action against erosion or to preserve water resources and biodiversity);
- an optional part on socioeconomic aspects, the quality and traceability of food products or the development of employment, etc.

C - Integrated farming

Integrated farming is a global approach to farming that seeks to balance the economic objectives of farmers, the expectations of consumers and respect for the environment. Integrated farming was recently equipped with a legal framework and protection.

Official texts on integrated farming include:

- Order of 30 April 2002 on the description of integrated management;
- Decree n° 2002-637 of 25 April 2002 on registration of farms;
- Decree n° 2004-293 of 26 March 2004 governing the conditions of use of the term "integrated farming".

The *National Integrated Farming Commission* (CNAR) is composed of two sections: examination of specifications and registration of control bodies. Its mandate is to advise and submit proposals to the Ministers of Agriculture and Consumption.

III - PUBLIC QUALITY MARKS

A - The "Mountain" identification

http://www.agriculture.gouv.fr/spip/ressources.themes.alimentationconsommation.qualitedesproduits.produitsdenosregions.denominationmontagne_r170.html

The Decree published in December 2000 states the measures included in the 1999 Agricultural Guideline Policy for the use of the term "mountain" in connection with agricultural and food products.

This text indicates that French agricultural products and foods (except wine) can use the term "mountain" when the processes of production, breeding, fattening, slaughtering, preparation, processing, maturing and packing are all taking place in mountain areas. Derogations are allowed for raw materials that cannot be produced in mountain areas or originate in other EU mountain areas, as well as for cases where it is not technically possible to pack goods or slaughter animals in mountain areas.

In addition to compliance with these rules, products also have to obtain an administrative authorization granted by regional Prefects base on recommendations by CORPAQ (*Regional Food Quality Commission*) in order to use the term "Mountain".

The mountain designation is implemented on a national scale, and is so far the only EU initiative to protect the term mountain on agricultural products.

B - Access to European designations

In order to obtain a Community denomination, individual products must already be registered under an official French quality scheme. Only then can the French Government submit the application to the European Commission.

Therefore, in order to achieve PDO or PGI product registration, products must first respectively be certified under national AOC or CCP (Certification de Conformité Produits)/"Label Rouge" schemes. No prior registration under a French denomination is required to achieve TSG European protection.

C - "Certification de Conformité de Produits"

http://www.agriculture.gouv.fr/spip/ressources.themes.alimentationconsommation.qualitedesproduits.signedequiliteetdorigine.certificationdeconformite_r177.html

This quality designation was defined within the Law of 30 December 1988 and implemented by the Decree of 25 September 1990 (n° 90/859). This quality designation enjoys national recognition and denotes a guarantee of production methods, packaging or (since 1994) origin. As far as the guarantee of origin is concerned, products must be registered as PGIs at European level.

In order to be registered at national level, enterprises, groups of enterprises and possibly individual farmers need to submit specifications which must then be validated by a specific Committee of the Ministry of Agriculture (CNLC, Commission Nationale des Labels et des Certifications, *National Labelling and Certification Committee*). Once the specifications are registered, enterprises committed to the quality scheme are subject to controls by an independent EN45011-certified body.



There is no official label owned by the Ministry, but there are collective private brands used by producers on a voluntary basis. At present, there are two such labels: AQC (Atout Qualité Certifié), owned by CEPRAL and applicable to all foods, and "Critères Qualité Certifiés" for meat products.

D - "Appellation d'Origine Contrôlée" (AOC)

http://www.agriculture.gouv.fr/spip/ressources.themes.alimentationconsommation.qualitedesproduits.signedequiliteetdorigine.aoc_r172.html

The *National Institute for Denominations of Origin* (INAO) was set up as a public organisation in 1935 to develop regulations for denominations of origin, perform controls and ensure protection at national and international level.

Historically, the general system for denominations of origin is defined by the Law of 06 May 1919 (amended 1966). The Decree of 30 July 1935 lays down conditions for wines and spirits, whereas cheese is governed by the General Law of 28 November 1955. From now on, AOCs is available for all types of agricultural products (fruits, vegetables, oil, etc.).

At present, about 550 products are identified through AOCs. On a European scale, AOC products (except wine and brandy) can apply for PDO registration.

AOCs identify individual products whose qualities are expressed in terms of the authenticity and typicality of their geographical origin. The relationship between products and their native soil must then be established.

Producers applying for registration of their products must be syndicated in an association or union and submit product specifications to INAO. After several checks, individual products are added to the AOC list and subsequently controlled by INAO for taste and compliance with specifications.



The absence of an official AOC logo for specific product categories is presently the subject of much discussion. The enclosed logo is the model used for AOC cheese (it has to be adapted to individual AOC cheese varieties by replacing the word "Fromages" with the name of the AOC cheese).

No denomination of origin other than the one registered within the framework of the AOC can be mentioned (e.g. fir tree honey from the Vosges or bull from Camargue).

AOCs are renowned beyond Europe thanks to worldwide exports AOC wine.

E - "Label Rouge"

http://www.agriculture.gouv.fr/spip/ressources.themes.alimentationconsommation.qualitedesproduits.signedequiliteetdorigine.labelrouge_r178.html

This quality mark was inaugurated by the Agricultural guidelines of 1960 and by the decree of 02 March 1996. Its scope is mainly national, with some examples elsewhere in the European Union (e.g. Scottish Salmon).

At present, 450 products bear the "Label Rouge". This scheme identifies products of a higher quality taste. Products must distinguish themselves in terms of production or processing conditions and the finished products must be of differentiated and better organoleptic quality compared to standard products.

To qualify for this brand, producers have to be syndicated (in "Quality Groups") and demonstrate the higher quality of their products. The specifications are validated by an Expert Commission of the National Labelling and Certification Committee (CNLC) of the Ministry of Agriculture.



This brand is a collective mark owned by the French Ministry of Agriculture. No mention of origin is accepted, except in the case of PGI products. The mention "Mountain product" can be used if products comply with the Mountain Decree. Controls are performed by an independent EN45011-certified body. This brand is well-known in France (about 43%).

F - Organic Farming

http://www.agriculture.gouv.fr/spip/ressources.themes.alimentationconsommation.qualitedesproduits.signedequiliteetdorigine.agriculturebiologique_r176.html

The first official text on organic farming can be found in the Agricultural Guidelines Law of 1980. The term "Agriculture Biologique" first appeared in 1991 in the European Regulation CEE n°2092/ 91), which officially recognised this production mode.

The national implementation of regulation n°2092/91 for vegetal production is carried out according to "PV" (Vegetal Production) guidelines. This draft is submitted to the certifying bodies and stakeholders of organic supply chains.

Animal production is governed by EC regulation n°1804/99 (REPAB), which came into force 24 August 2000. This legislation completes Regulation 2092/91/EEC. As agreed within REPAB, the French Government developed complementary specifications (CC REPAB F), certain aspects of which are comparatively more restrictive (notably when it comes to sanitary treatment and finishing feed). Finally, "PA" (Animal Production) guidelines have been worked out with the same objectives as "PV" guidelines.

Controls on the implementation of this legislation are performed by an independent EN45011-certified body registered with the National Labelling and Certification Committee (CNLC) after its accreditation by COFRAC (French Accreditation Committee).

In 2004, Certified bodies included Ecocert, Qualité France, Ulase, Agrocert and Aclave.

See: www.agence-bio.org

In 2001, "Agence Bio" was set up with representation of the Ministries of Agriculture and of Ecology and Sustainable Development, the Permanent Assembly of Departmental Agricultural Chambers (APCA) and two organic farming organisations. One of the missions of "Agence Bio" is to promote coordination of the different professional organisations making up the supply chain. It also follows up crucial themes through specialised Committees (on consumption, communication, regulations, control and quality, research, training and development, etc.).

In 2003, 11,377 farms (representing 550,000 hectares) were implementing organic agriculture practices.



The "AB" brand is owned by the Ministry of Agriculture and can be used by professionals who:

- Meet the requirements of Regulation CEE n°2092/91 for all products except products of animal origin;
- Comply with French specifications governing animal production and products of animal origin;
- Manufacture foods containing at least 95% of organic ingredients;
- Submit their products and a minimum of 95% of their ingredients to independent controls by independent bodies registered with public authorities.

This official quality brand also benefits from special policies. In December 1997, a long-term schedule for the development of organic farming (1997-2005) was developed to promote the conversion of farms to this type of production.

State aid for farm conversion to organic farming is granted within the framework of agri-environmental measures (AEM). In 2003, *Sustainable Farming Contracts* ("Contrats d'Agriculture Durable", CAD) followed the CTEs, which CABs ("conversion à l'Agriculture Biologique", *Conversion to Organic Farming*) are an emanation.

V - COLLECTIVE OR INDIVIDUAL PRIVATE BRANDS

A - The brand "Parc Naturel Régional de..."

<http://www.parcs-naturels-regionaux.tm.fr/>

"Regional Natural Parks" are fragile territories classified by the State (Ministry of Environment and Sustainable Development). Each of them is entitled to a brand. The development of these territories is subject to the protection and development of heritage, the quality of which is identified and established.

The Federation of French "Parcs Naturels Régionaux" is an association set up in 1971 to represent the network of Regional Natural Parks.

The associated brand ("Parc naturel régional... [followed by the name of individual territories]") is collective and owned by the French Government, which delegates its management to individual parks. There are as many "park" brands as there are parks. Each of them is registered by the Federation with INPI (national brand registration body) with the aim of identifying national supply. The brands are multi-sectoral and multi-product/multi-services and are not subject to official labels or other quality schemes.

Three logotypes are defined: "Products from the Natural Regional Park of ...", "Welcome from the Natural Regional Park of ..." and " Know-how from the Natural Regional Park of".

Like other collective brands, parks have developed common rules governing the conditions for their use. The brand is awarded to products or services but not to enterprises or individuals. To benefit from the brand, 4 criteria are required, that are: origin; authenticity and innovation; craft production logic ; environmentally friendly.



Generic Logo

The use of the generic or specific logos is subject to regular controls.

However, each park has its own logo, based on the generic one, for instance:



At least part of the territory of 19 out of the 44 parks is registered as a mountain area.

B - The "Bienvenue à la ferme" (*Welcome to the Farm*) initiative

<http://www.bienvenue-a-la-ferme.com>

This initiative is owned by APCA (French standing representation of departmental agricultural chambers) since 1988. The brand itself, also owned by APCA, has applied for national brand registration (with INPI, the National Institute for Industrial Property). "Welcome to the farm" is an umbrella initiative combining various categories of activities grouped into 3 themes: Gastronomy (with the assorted "products from the farm" brand), Hobbies and Accommodation.

This quality denomination provides guarantees on both products and services. A Charter defines the respective commitments of producers and farmers and specifies that the following features should be present to meet label expectations on the production side:

- comparatively high quality;
- farm specificity, identified from:
 - ☞ traditional production methods;
 - ☞ non-industrial processing;
 - ☞ comparatively high level of consumer information;
- personal involvement of farmers throughout the processing chain;
- promotion of farmer know-how and local gastronomy.



Prior certification by the national authority (APCA) is required to use the denomination via the logo. So far the only control requirement is internal, but some regions are looking at external control systems too.



APCA is managing the launch of the project and supporting and monitoring individual initiatives and is also

involved in communication (over the internet as well as in catalogues and with different promotional tools in local shops).

This brand leverages official definitions of the term "fermier" (*from the farm*), where such definitions exist. So far, only cheese, poultry, beef, pork and sheep are covered, either under national legislation transposing Community regulations or under specific decrees.

GREECE

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I - DEFINITION OF MOUNTAIN AREAS

The following areas are identified as mountain areas in Greece:

- 1/ areas in the altitude of over 800 m;
- 2/ areas in the altitude between 600 and 800 m with a slope pent of 16% and over;
- 3/ areas in the altitude below 600 m with the slope pent of 20% and over.

A village or a set of villages is considered a mountain area if it complies with one of the above criteria for 80% of their area, or if the sum of area complying with the 3 criteria reaches 80%.

42% of Greece is classified as mountain area according to the National Service of Statistic (E.Σ.Υ.Ε. 1991), with an average density of 17 inhabitants/km² (in comparison with the 76 inhabitants/km² for the whole country).

Therefore Greece is considered as the most mountainous country in Europe with 42,5% of mountain areas, 30,5% "semi-mountainous" areas and about 27% plains (according to the National Service of Statistics).

II - AGRICULTURAL AND FOOD POLICIES

A - Description of agricultural policies

It could be said that the first modern development policies in Greece from 1950 to 1975 disfavoured mountain areas. The state policies focussed on the development of tourism in the coastal areas and feeding the population, hence mass agriculture in the plains. In addition the environmental measures of for example forest protection were applied in direct antagonism to the mountain farming. All this led to rural exodus and finally major erosion problems caused abandonment of the agricultural activities in the mountains.

It is only since 1975 that the Greek government has shown interest in remote or mountainous areas. This new interest was reinforced by the country's adhesion to the European Union in 1981. The Greek rural development policy is now conforming to the Community rules; however, still no specific mountain or disadvantaged area policies exist. The agriculture policy has until recently based on a uniform approach towards the whole country, with no distinction to local particularities.

An effort has been made to support the fragile regions through the Integrated Mediterranean Programmes and the LEADER Community Initiative, but sometimes these programmes seem to have been working directly against agricultural activities.

Finally, within the context of the implementation of the Community Support 2000-2006, a theoretic beginning of the mountain development policy has finally appeared, through the "sub-programme for the development of mountains". How the programme will be implemented locally is not yet clear, the Ministry has so far only conducted a series of studies in the disfavoured areas in 2001 and 2003.

However, it seems that the Ministry is aiming for an integrated development of these areas, taking into consideration all the factors of local economy.

B - The agri-environmental measures

The regulation EEC 2078/92 gave an impetus to rural development through agri-environmental measures. This regulation is the first effort of an agri-environmental policy affecting mountain areas.

- There are 4 national and horizontal programmes:
 - 1/ Development of the organic production.
 - 2/ Long term suspension of cultivations to promote biodiversity.
 - 3/ Protection against the erosion. This is particularly important in Greece where according to the Ministry of Agriculture 30% of the country is under the threat of erosion.
 - 4/ Training, education, and awareness campaigns to producers according to good farming practices.
- There are 5 local and vertical programmes:
 - 1/ Limitation of the use of nitrates (in the Thessalia plain).
 - 2/ Conservation of local threatened domestic animal breeds.
 - 3/ Maintaining of the variety cultivated species.
 - 4/ Maintaining of the agricultural landscape, aiming to protect the cultural heritage and the flora and fauna.
 - 5/ Conservation of important biotopes (National Parks, Ramsar Convention...)

Water management is only dealt with partially through the quality aspects. Apart from the landscape programme, the implementation of these programmes has neither foreseen measures to maintain and protect the extensive production common in mountain areas, and currently under a lot of pressure through depopulation in high mountains and intensification of productive spaces in semi-mountains and plains.

For the time being three programmes have been successfully implemented: nitrates in Thessalia, organic production and long-term suspension of cultivations. The most interesting programme in the point of view of introducing non-conventional practices - the training, education and awareness campaigns - has not yet been implemented. The management measures demanded from the farmers are now totally different from the previous concentration on intensive production. The programme might also help in the reducing the tensions caused by the CAP revision.

III - PUBLIC QUALITY MARKS

A - Access to European designations

The EU registration of national products PDO, PGI and TSG is not linked to a prior national or regional certification or any other specific measure imposed by the national authorities.

1/ PDO/PGI and STG

There are in Greece: 60 PDO - 21 PGI - and no STG in 2003

2/ Organic Products

This quality mark has been implemented in 2001. At present, 4250 farmers are using that quality mark on national level. AGROCERT was in charge to develop Greek regulation BΓOE-R-01/0200. The logo of this mark is BIO AGRO, unique sign to identify organic products.

B - Quality designations

The implementation and management of quality marks in Greece are mainly undertaken by Agrocert (see: www.agrocert.gr). It is an organisation created in 1999 under private law, funded and controlled by the Ministry of Agriculture. Application of the law for quality marks in Greece is still new and not many groups are yet involved, and therefore there is so far little conflict of interest.

At the moment, only food products with important volumes manage and can afford to be certified and controlled by Agrocert (limiting therefore the access to mountain products). In addition, setting up producer associations in mountain areas has so far from structural reasons proven difficult.

Links with mountain farms:

Although most of the products in Greek Mountain areas could be understood as organic products (as regards to the way of production), it seems that no mountain products are yet registered. This could be explained by 2 reasons: first, this designation is really new (since 2001), secondly, the persons responsible for the implementation are located in the capital and information seems not to reach peripheral farmers (especially in remote mountain areas).

ITALY

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I - DEFINITION OF MOUNTAIN AREAS

The legislation implemented in Italy is the European law n° 1257/1999 that takes into account the Directive 75/268/EEC.

According to the Directive, NUTS 4 are classified as "mountain" when there are mountain and hill chains and the altitude is higher than 600 m (in Northern Italy) or 700 m (in Central and Southern Italy, islands included). When more than 80% of the area is over 600 m of altitude, the area is also classified as mountain.

II - AGRICULTURAL AND FOOD POLICIES

A - The Constitution Law and the Parliamentary Law 94/97

The Constitution Law (that came into force in 1947) states the framework (rights and duties) of farms out of and within mountain areas. This law was completed many times and within the last one (Law 97 from 1994) the Article 15 refers to mountain areas and their products. It sets up a National Fund for Mountain Areas, managed by the national government and addressed to all mountain issues. Some elements regarding mountain food products are also mentioned – *see Chapter III -A*.

B - National policy on quality products

Economic and financial programme (2003-2006)

On a national scale, this programme supports the competitiveness of Italian agro-firms either in selected districts or quality supply-chains, in helping them to:

- face imitation of quality Italian agricultural and food products;
- develop new fiscal and social security tools;
- set up new and innovative organisational forms (by districts or chains);
- set up protection of consumers through traceability, certification, labelling and control systems;
- identify communication and promotion strategies linked to a territory;
- promote the acknowledgement of the quality of Italian products both on national and international markets;
- promote policy for consumers, education and information.

C - E.g. Policies from the Province of Trento (P.A.T.)

In Italy, many policies are implemented on a Provincial scale. See below the regulations developed in the Province of Trento.

1/ Provincial Law

Law n°36 came into force in 1978 and deals with trade and marketing of agricultural and food products from the Province. It promotes, stimulates and supports entrepreneurship in order to favour the efficiency of the marketing of agriculture goods. Beneficiaries are consortia, cooperatives and single firms.

2/ Provincial Law for Mountain

The so-called "Provincial Law for mountain" has been implemented since 1998. It promotes: economically sustainable activities, social development, protection of cultural identity of local populations and environmental protection in remote areas. The "Provincial Fund for Mountain" (the funds of which come from the Province, Italy and EU) supports all interventions for development of mountain areas. Intersectoral interventions are favoured.

3/ Agricultural Activities in Disadvantaged Areas

The measure has been implemented since 1992 and focuses on funding agricultural activities within particularly disadvantaged areas. Attention is paid to: family firms, young farmers, rural tourism, dimensional growing of farms and integration of farming activities into other activities linked to primary sector (agro-tourism, rural tourism, forestry, tourism and craftsmanship).

4/ Quality Trade Mark –Support to Enterprise

The measure came into force in 1993 and focuses on services to enterprises, subventions for creation of quality trade marks, product certification, ISO 9001 and 14001 certifications and EMAS registration.

5/ Agro-Tourism Promotion

The measure has been implemented since 2001 and focuses on disciplined agro-tourism, "wine roads" and "flavour roads" in order to promote the development of rural areas, to maintain agriculture through income integration and improvement of living condition of farmers, to protect cultural tradition, environment and the use of rural buildings, to develop hospitality and restaurant activity through typical and traditional products from Trentino.

6/ Programme of Provincial Development

The measure came into force in 2002.

- Fruit and viticulture: to refine quality management and trade strategies, to ensure support of local research and to support organic productions;
- Breeding and dairy products: to support less productive areas, to overcome the fragmentation of properties, to increase the value of products through PDOs, to find legal solution to simplifying the bureaucracy related to HACCP implementation, to integrate both actors of the chain and dairy-chains with other sectors (i.e. tourism), to ensure support to local research;
- **Traditional mountain products:** to improve links with environmental issues, to find connections with tourism sector, to promote the use of EU quality labels (PDO, PGI, TSG, AOC), to promote these labels and the Trentino brand through a trade mark able to disseminate the global image of Trentino (*see Chapter 4B – Trentino brand*).

III - PUBLIC QUALITY MARKS

A - Registration of mountain products

The global national law from 1994 is connected to the European Regulation (EC) 2081/1992, and mentions the protection of "Typical Products" from mountain areas.

To benefit from this regulation, products must come from the so-called "mountain municipalities" (according art. 1 of Parliamentary Law 94/97) and also must be recorded as PDO or PGI products. They are then registered in the "List of Mountain Products". The products from this list will be the only ones allowed to use the mention "prodotto della montagna" (product from mountain).

The raw material and/or processing and/or packaging must take place in "mountain municipalities".

The latest Decree of Ministry of Agriculture was voted on the 30 December 2003, but for the time being this law has not been applied.

B - Access to European designations

In Italy, the registration of national products for PDO, PGI and TSG is not linked to a prior national or regional certification or any other specific measures imposed by the national authorities. They apply directly the EU regulation.

The implementation of quality marks in Italy is mainly undertaken by associations or unions of producers and mainly managed by the public sector.

1/ DOP/PDO and IGP/PGI

• see: <http://www.politicheagricole.it/QUALITA/DOP/home.asp>

118 products were registered as PDO or PGI in June 2002, amongst them 102 are from mountain areas. Mountain products coming from the alpine area represent 25% in number, 7% in economic terms and 4% in volume. The Community quality designation recognition rate in Italy is about 11 to 20%.

• In Trentino:

see: <http://www.politicheagricole.it/QUALITA/DOP/Regioni/Trentino%20Alto%20Adige.htm>

5 products are registered, 4 PDO and 1 PGI, but only one PDO is entirely produced within the Autonomous Province of Trento.

Procedure to access the European designation in the Province of Trento:

1) producers submit the specifications to the Office for Quality of Agro-Food Products (OQAFP) of the Autonomous Province of Trento.

2) OQAFP sends the specification to the Ministry of Agriculture;

3) The Ministry of Agriculture makes a public audit on the specifications where the product comes from;

4) after adjustments, the specifications are published in the National Official Gazette (for 6 months);

5) after integration of possible comments, the Ministry of Agriculture sends the specifications to the European Commission; meanwhile, the certification body shall transmit the control plan to the Ministry;

6) the Technical Committee of the Ministry assesses the control plan;

7) when positive, transitory protection is given to PDO/PGI through a Decree of the Ministry of Agriculture;

8) the certification body can begin the audit of the product according to control plan

9) meanwhile, the denomination is protected only within the Italian territory. Thus, the following sentence has to be specified "*Garantito dal Ministero delle Politiche Agricole e Forestali ai sensi dell'art. 10 del Reg. (CEE) 2081/92*", until the official registration by CE is published.

2/ STG/TSG

There is one TSG in Italy and one in the Autonomous Province of Trento.

It is not possible to use the word "mountain" or any other equivalent term on this designation.

Conditions to reach the European Community level are the same as for the PDO/ PGI (see above).

3/ Organic products

☑ In Italy: see: <http://www.politicheagricole.it/PRODUZIONE/AGRIBIO/Italia2002.htm>
about 56000 farms (in 2002)

☑ in Autonomous Province of Trento
<http://www.trentinoagricoltura.it/Rapporto/index.htm>
about 305 farms (in 2002)

Conditions to reach the European Community level are the same as for the PDO/ PGI (see above).

C - Traditional products

The parliamentary decree from 1998 has been amended by the Ministry Decree in 1999. "Traditional Products" are defined as products where the know-how has been consolidated over time (no less than 25 years).

The NUTS 2 level authority has to check this know-how on its territory. It is also in charge of the development of the "Regional Register for Traditional Products". The Ministry of Agriculture is in charge of the national register.

For each product, information on denomination, characteristics of product and consolidated know-how, materials and tools for processing and packaging, description of premises for processing, storing and ripening of product have to be supplied.

The control for that identification is carried out with the official control from the Public Administration through different local and national bodies. No control by certification body is compulsory.

IV - PRIVATE MARKS WITH PUBLIC SUPPORT

A - Basket of typical products of the Province of Turin

<http://www.provincia.torino.it/agrimont/sapori/paniere/>

This regulation was set up in 2001. The owner and the geographical boundary is Province of Turin. The quality mark implies a guarantee of typical quality of the product and a source or an origin. Quality of tradition and sometimes environmental quality are particularly targeted with this mark. There is no obligation for external control by a third body.



This mark has a logo of "Paniere" for identification. As it is an umbrella-brand, producers are quite free to use other identifications or private brands. The mark can include supplementary indicators on the product in order to identify its origin.

This brand does not identify "mountain" origin because its objective is to identify and defend the origin and tradition of products in ALL of the Province of Turin.

The reputation of this quality mark is national and its recognition rate is about 11 to 20%.

B - Trentino brand

This brand has been set up in 2003 and it belongs to the Trentino Joint-Stock Company. The recognition is national. The identified is for "quality goods and services supplied by firms of Trentino". There is no external control.



This logo is used to identify the products and the "Trentino" origin is mentioned on the package. The colour green of the background means that the mark is referring to an agricultural product (blue is for tourism, azure for industry and craftsmanship, bordeaux for culture).

This brand gives particular regional image, strictly linked to mountain area through the reference to "Trentino". Moreover this new mark allowed to overcome the legal controversy with EC about the local mark "DAL TRENTINO NATURALMENTE" that was set-up to demonstrate the quality of agricultural products from Trentino (the former Provincial Law - n. 32/1977 - has been abrogated).

At present, regulation for the use of this mark is under way. Agrofood products that can benefit from this brand will be divided into:

- a) Guaranteed (PDO, PGI, STG, organic and products complying with the specifications related to Integrated Farming applied in Trentino);
- b) Symbol (strong private brand and "Traditional Products").

V - COLLECTIVE OR INDIVIDUAL PRIVATE BRANDS

In Italy there are only strong private "quality" marks on meat products (with different consortium, such as the "Coalvi" brand: Consortium on meat traceability and on individual factory brands (such as "Barilla", Parmalat) etc.

A - Slow Food

<http://www.slowfood.it/>

Slow Food is an international brand developed in 1989. The quality identified by this label is the "risk of extinction, scarcity and uniqueness". The brand emphasises organoleptic, traditional and territory qualities and landscape amenities.



No official control is necessary in order to use the logo. Just the name of Slow Food is indicated. It is possible to use supplementary information on origin. No indication of the mountain origin is normally possible (see the reasons in the previous chapter), but in Italy as in Trentino, many products use unofficially the term "mountain".

The quality brand reputation is international with a recognition rate of over 50% in Italy.

- 165 products in Italy are included (year 2003) in the list of Slow Food;
- 10 products of Trentino are included in the list of Slow Food (all are also classified as "traditional products").

NORWAY

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I - DEFINITION OF MOUNTAIN AREAS

There is no established official definition of "mountain area", neither at national level nor in the Sogn region. This is due to the fact that Norwegian rural policy is based on other indicators, such as population density, demographic development and centrality (distance from economic centres). Disadvantageous conditions (e.g. decrease in population) are mainly found in mountainous and coastal areas, but the rural policy does not identify the targeted area in a territorial manner. Nevertheless some rural development organisations have introduced the term "Fjellregionen" (the Mountain Region) in an attempt to draw special attention to the qualities and challenges of mountain areas. This term has gradually been adopted also by governmental bodies, but has so far not been given an official definition.

II - AGRICULTURAL AND FOOD POLICIES

A - Law on quality control of agricultural products

Quality Control Act:

Law on quality control of agricultural products of 17 June 1932 is the main political instrument in Government's efforts to «prevent misconceptions regarding the (agricultural) product's origin, kind, composition, quantity or quality». Together with Law on food control of 19 June 1933, the Quality Control Act constitutes the legislative framework for the activities of the Norwegian Food Control Authority (SNT). SNT has expressed its vision in two words: «Safe food». This aim is to be reached by six overall objectives, among which three have special relevance to quality management:

- production, import, storage, transport and supply of food and drink shall take place in such a way as to ensure that the products are safe to consume;
- food and drink shall not contain substances harmful to the health of consumers ;
- food, drink and cosmetics shall be offered for sale with true and fair descriptions and be of an appropriate quality.

The main focus of SNT²³ is to protect public health by securing minimum standards in accordance with the law. Provisions for manufacture, labelling and sale of a broad variety of foodstuffs have been made to the Quality Control Act. In addition a regulation has been passed instructing the food industry to carry out internal control in order to ensure that laws and regulations are complied with. Regulation on official quality designation (PDO/PGI/TSG) has also been passed pursuant to the Quality Control Act.

²³ Food Control Authority

B - Programme on quality food production

Programme on quality food production (« Verdiskapingsprogrammet for matproduksjon ») :

The programme was initiated by the Norwegian Parliament in 1999, and followed up by the Ministry of Agriculture. NOK 100 million (12.7 million €) was granted for the year 2001. Similar grants have been planned for the first five years. The programme started 1st January 2001 and is to last ten years.

The overall objective of the programme is to contribute to «increased formation of values» (values added) in food production and food processing industry. For the initial phase (2001-2002) the following strategy was agreed upon:

«The programme is to help primary producers and food processing industry developing specialized high quality foods for sale in high payment ability markets, and which contribute to increase formation of values for the primary producers».

Emphasis is put on the terms innovation and variety, defined as:

- development of specialised high quality food articles, based on:
 - Norwegian food traditions and local food specialities, possibly inspired by foreign food culture, *or*
 - other consumer trends in the food segment, such as health food, ethical food etc;
- renewal of production and distribution methods;
- renewal or extension of markets for the food articles in question.

Important measures outlined in the programme description:

- the programme will mainly focus on consumer needs in the Norwegian market, but measures for export of certain products will be taken;
- development of competence among farmers and small food processing enterprises
- support to existing and newly established co-operations of farmers (producer networks) and food processing enterprises co-operating with farmers in need for risk capital to develop high quality food for high payment ability markets, or to penetrate into such markets;
- economic support for establishing network organisations for primary producers.

III - PUBLIC QUALITY MARKS

The implementation of quality marks is mainly undertaken by the public sector and the management by independent bodies. The producers associations don't have a key role in the management and development of quality marks.

In Norway the development of quality food marks is at its very beginning. We clearly see the contours of countless marks and designations. This development is characterised by a lack of co-ordination. Common strategies for quality food marks and designations have not been established. This might prevent conflicts of interest that are likely to occur in the future.

So far there are no evident examples of such conflicts. "Beskyttet betegnelse for tradisjonelt særpreg" (TSG) might come in competition with the mark "Tradisjonskost" (Traditional Food) which is under planning by the foundation "Selskapet for Norges Vel" and the Ministry of Agriculture. However, a conflict of interest is not likely, as "Tradisjonskost" is focusing on enterprises at farm level (farm based food stores and restaurants) while the TSG equivalent is addressing distribution in larger scale.

A - Mountain products

There is no specific official identification of mountain products in Norway.

B - Access to European designations

See: www.beskyttedebetegnelse.no (in Norwegian)

Norway does not belong to the European Union so that three official quality designations (equivalent to EU designations PDO, PGI and TSG) were only introduced in 5 July 2002. The regulation has been adjusted (somewhat simplified) and adapted to the Norwegian context. This legislation is not linked to any prior certification or other specific measures within Norway.

The 3 quality designations in Norwegian are the following:

- "Beskyttet opprinnelses betegnelse" (equivalent to PDO);
- "Beskyttet geografisk betegnelse" (equivalent to PGI)
- "Beskyttet betegnelse for tradisjonelt særpreg" (equivalent to STG)

The official text reference is: FOR 2002-07-05 nr 698, based on a European Directive: Council Regulation 2081/92 of 14 July 1992. Its implementation is national.

See the text: <http://www.lovdata.no/for/sf/ld/xd-20020705-0698.html>

In Norway, external control is compulsory and is carried out by a public organisation.

See the diagram –following page- on procedures to register in PDO, PGI or TSG.

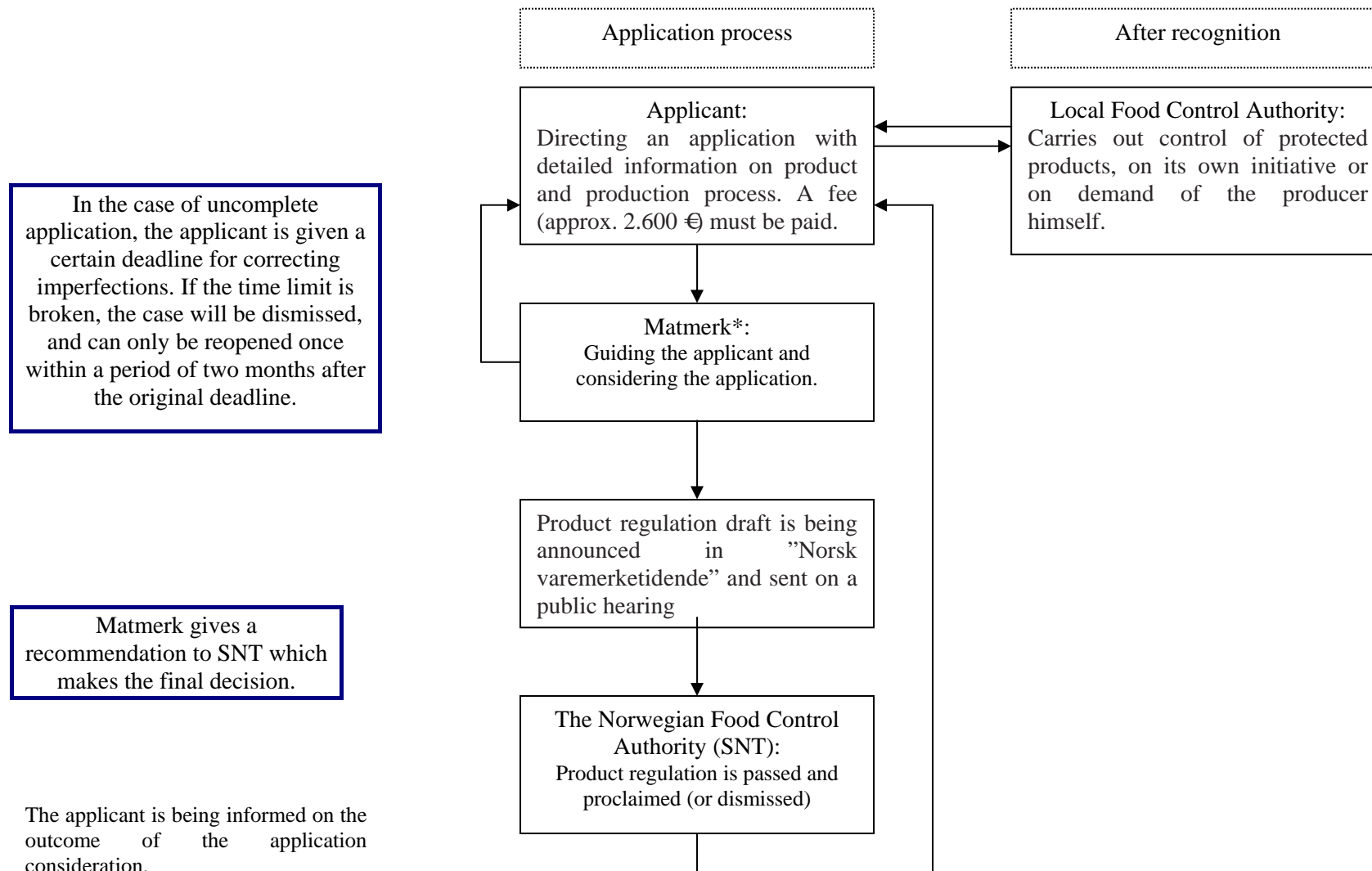
The type of official identification on products is a logo; the use of the mark name in packaging, advertising etc.; there is no limitation in the mention of origin or mountain indication.

The regulation of the official quality marks does not mention any limitations regarding supplementary origin/geographical indications on the packaging of products. Quality marks' reputation is intended to be national when the official marks have been properly implemented, but no polls have been carried out due to the early stage of implementation.

The following logos are the property of the Norwegian state and can not be used without a certification.



At present (August 2004), one PDO and one PGI are registered in Norway.



* Matmerk™ is a public foundation (offentlig stiftelse) established by the Ministry of Agriculture and 13 organisations (producers' organisations and others). Matmerk is responsible for managing official food quality marks on behalf of the Norwegian Food Control Authority, and is in addition owner of two private quality marks: "Godt Norsk" and "Spesialitet" (Norwegian Speciality).

Diagram showing procedures for obtaining official quality marks

V - COLLECTIVE OR INDIVIDUAL PRIVATE BRANDS

In Norway there is no organisation that registers private marks.

A - Norsk Gardmat

Norsk Gardsmat brand has been set-up in 1998 in Norway and the owner is Norsk Gardsmat (a collective organisation which members are farmers). Farmers from any part of Norway complying with the regulations of the brand are allowed to use it.

This brand guaranties an origin, the qualities targeted in particular are tradition, history and the fact that production, processing and sale are all taking place within the same area.



The type of official identification on products is the logo, the use of the brand name on packages, advertising etc. There are no limits to use supplementary indications on origin or on mountain origin.

The quality mark is recognised nation-wide.

B - Aurland natur-og kulturarv

This mark "Aurland nature-og kulturarv" (ANKA) has been established most recently (April 2003) and is owned by an organisation of the same name. Only farmers from the Aurland municipalities can benefit from the brand.

The organisation ANKA has got 32 farm members which will be entitled to use the mark. The number is expected to rise with the introduction of the mark.

This quality mark implies a guarantee of origin, qualities that are particularly targeted at are tradition, history and territory connections. There is no obligation for external control by a third body.



The type of official identification on products is a logo, but because of the recent implementation of the mark, the logo has not yet been used by farmers. There is no limit to use supplementary indications on origin or on mountain. The mark has got no reputation yet, but the ambition is to reach consumers at national level.

POLAND

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I - DEFINITION OF MOUNTAIN AREAS

The first definition of mountain regions in Poland was introduced in 1981 related to special "mountain" subsidies given to milk and meat producers.

Since 1990, the legislative work has been done on "New Mountain Law Regulation", which will state definition of mountain area. The subsequent description of mountain area was proposed in legislative project in 2001: "The mountain areas are whole districts (gminy) or their parts where at least 50% of land is situated 350 meters above sea level or has 9o slope or is situated 250–350 meters above sea level with a 6-9o slope."

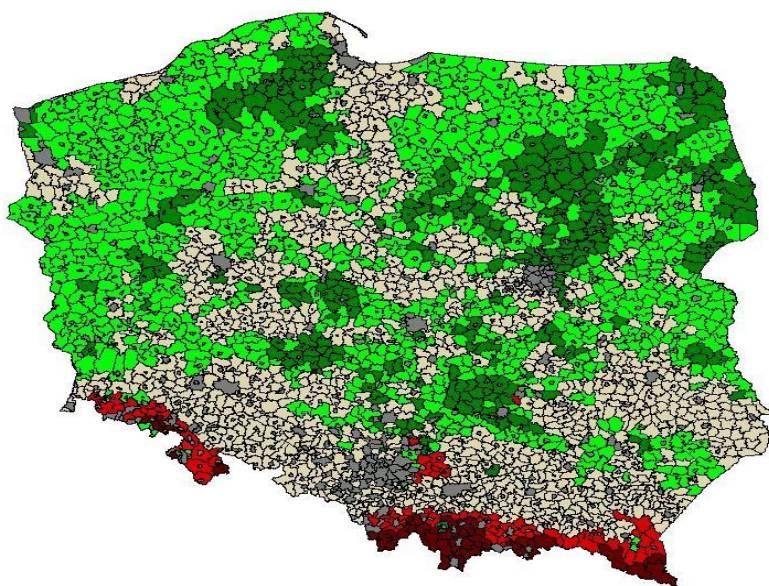
The legislation project distinguishes 3 mountains areas in Poland:

- The Carpathian Mountains – including Tatras Mountains and Podhale
- The Sudety Mountains – The Sudety Region
- The Świętokrzyskie Mountains – Świętokrzyski Region

There are different definitions of mountain areas linked to the classification of Least Favourite Areas in Poland²⁴. Mountain areas were divided into two zones:

- **Zone I** where over 50% of agricultural land is located between 350 and 500 meters,
- **Zone II** where over 50% of agricultural land is located above 500 m above sea level.

The representation of the two mountain zones in the map of Poland (zone one marked in bright red and zone two in dark red)



²⁴ Ustawa 28.11.2003. (. O wspieraniu rozwoju obszarów wiejskich ze środków pochodzących z Sekcji Gwarancji Europejskiego Funduszu Orientacji i Gwarancji Rolnej (Journal of Laws of the Republic of Poland ("No 229, 2273)).

II - AGRICULTURAL AND FOOD POLICIES

A - Description of agricultural policies in favour of mountain areas

The distinctive characteristics of Polish mountains have been taken into account for years in setting up development strategies and policies. The mountain regions are first mentioned in official documents on 28 December 1925 describing agricultural reforms.

An important legislation was introduced on 21 January 1985²⁵ aimed to develop entrepreneurship and support agriculture in mountain areas, but due to the lack of funds it was suspended in 1990. However, the importance of these regions and the need for development were the drivers behind many government and non-government initiatives e.g.:

- Polish Sejm (Parliament) Resolution issued 06.02.1997: on Balanced Development of mountain areas in Poland.
- Podkarpacka Agricultural Chamber Strategy (Prepared by Marketing and Economic Analysis Commission) on Improving economic and living conditions in mountain areas (1995).
- Strategy for activating economy and society of mountain areas. Government Centre for Strategic Studies. Warsaw, April 1999.

Due to progressing changes in Polish political environment as well as shortage of necessary resources, none of the efforts and strategies was effective. The work on new, broad legislation started in 1999 and the final legislation project was accepted by Sejm on the 26 of July 2001. However, it was not signed by the Polish President, who asked for second amendment in Parliament and in consequence the legislative work continues, supported by the Committee of Management of Mountain Areas of Polish Academy of Science.

The main areas of concern are related to the scope and structure of support to be provided to farmers, local authorities, NGOs, and academic institutions participating in development of mountain areas. The other major issue is consolidation of the preservation of natural environment with the economic development of the regions. To support these, the legislation proposes the creation of an Agency for Development of Mountain Areas (Agencję Rozwoju Regionów Górskich). Apart from the support for individual farmers/entrepreneurs all communal investments are to be refunded to the total of 70% of all incurred costs.

The new Mountain Law will be compatible with EU legislation.

III - PUBLIC QUALITY MARKS

So far in Poland there is no formal system protecting artisan, regional and local food products. The absence of such formal and legal arrangements makes it difficult to create, expand and maintain local markets and their infrastructure. Organisations that regulate and control product health and safety have no experience in determining production requirements for such specific foodstuff.

All current regulations that could be applied to local produce were designed in accordance with EU food standards, and not in relation to Polish conditions, specificity of the products and needs of Polish producers. Hence the necessity for adequate state policy and creation of a legal framework with detailed resolutions and food laws remains.

Amongst existing regulations the following could be applied to local and mountain products.

²⁵ Uchwała Rady Ministrów nr 4. 1985.

A - The industrial property law - Ustawa Prawo własności przemysłowej

This law, from 22 August 2001 describes geographical designation as "verbal indication related directly or indirectly to the name of a place, area, or region which identifies product origin, if pre-determined quality, reputation or other specific features are ascribed to this particular region".

The legislation contains two directives: one related to detailed requirements which have to be fulfilled for geographical designation of origin, scope and criteria for approval, and the second one related to designation fees. With regards to full protection of geographical origin the industrial property law complies with EC directive no 2081/92, but does not comply with inspection rules and the procedure for selection of bodies controlling the process.

B - The food products trade quality law

Ustawa o jakości handlowej artykułów rolno-spożywczych

This law, from 1 January 2003, states that food produced from raw materials of domestic origin and characterised by specific trade quality features (in relation to production methods, composition or sensory properties) can be identified with "a quality mark". This legislation determines the criteria and procedure for approval and obliges Ministry of Agriculture to design the mark.

C - New issues related to integration to the European Union

Unfortunately no efforts have been undertaken to use the piece of legislation corresponding to EC directive 2082/92 (TSG).

The revised veterinary inspection legislation tackles the issue of direct sales of food products (farm gate sales), but the progress is slow and the detailed conditions of direct sale have not yet been established. On the other hand the term: *traditional product* has been used in this context.

The health and safety regulations describe general rules that have to be followed during production and distribution of traditional food, but they have to be harmonised with EU legislation and provided with more detailed specifications.

In April 2003 Polish Patent Office granted several of the region's dairy products (oscypek, bundz, żentyca, redykołka, bryndza) a "*mark of geographic assignment*" (equivalent of PGI), but these products are not protected after the accession as they have not received the official EU PGI recognition. This situation is caused by the fact that EU requires separate application and all previously registered products have to go through EU procedures. Polish food producers have half a year now to obtain EU wide PGI – if not, their products, brands and names connected with the region will cease to be protected at all.

IV - PRIVATE MARKS WITH PUBLIC SUPPORT

No collective quality brand has yet been registered for mountain products.

Some of smaller Polish food producers use producer / marketing groups to distribute and promote their products. With the registration of the "Oscypek" trade name the cheese makers hope to restrict the use of the name in the three Carpathian regions.

V - COLLECTIVE OR INDIVIDUAL PRIVATE BRANDS

In Poland there are private brands supported by non-governmental, industry and umbrella organisations, and brands of local well established businesses. In the case of the studied mountain products, however, there is no evidence of private brands connected to regional products.

On the other hand there are examples of products which use regional imaginary and positive perceptions of regional names to reinforce marketing message (e.g. marketing campaigns featuring Highlanders and mountain countryside). In some case these products have no physical connection with the region yet brand building strategy is based on the mechanism of conditioning utilising mountain culture traits. Successful examples of such strategies are Zywiec mineral water and Tatrzańskie beer.

ROMANIA

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I - DEFINITION OF MOUNTAIN AREAS

In Romania, the identification of mountain areas was established by the governmental decree n° 949/05.09.2002 as follows:

Mountain areas are characterised by limited land use possibilities and by increased costs due to:

- 1/ difficult climatic conditions related to altitudes over 600m and/or to short season of vegetation;
- 2/ lower altitudes with slopes over 20% and too steep for using agricultural machinery or implying costly investments;
- 3/ the mix of the points 1/ and 2/, where the disadvantage caused by each individual point is less important, but the combination of the two implies an equivalent disadvantage.

The exact identification of the mountain areas at the village level is undertaken by the Ministry of Agriculture and the Ministry of Administration. After official approval the mountain areas are registered as mountain municipalities in agricultural lists.

II - AGRICULTURAL AND FOOD POLICIES

In 2003, normative acts have been set up to try to fulfil European standards.

A - The “Mountain law”

A Mountain Law n°347 (legea muntelui) was adopted by the Romanian parliament on 14 July 2004 and published in the Official Journal on 26 July. The first article states that “mountain areas of Romania constitute a particular territory of national interest at economical, social and natural environment level”.

The law is made of five articles which concern:

- general aspects;
- aims and principles of the mountain policy;
- public system for organising sustainable development in mountain areas and for supporting associative structures of mountain farmers;
- agricultural education in mountain areas;
- development of mountain environment protection.

60 days after the law comes into force, the Ministry of Agriculture will draw up the “Strategy for Sustainable Development of Mountain Areas” that will be submitted for the approval of the Romanian Government.

III - PUBLIC QUALITY MARKS

Currently no official identification of mountain products exists.

The national law n°84/1998 concerns the brand and the geographical identification, used to register the brands in order to distinguish the producer of the product. In Romania, the brand is not a guarantee of quality. In the same way, the geographical origin of production is not an identification of quality.

PDO, PGI and TSG are not used in Romania.

However, the organic products are processed and certified by a third (foreign) body, and recorded according to the standard EN 45011.

THE PROJECT ON QUALITY MOUNTAIN FOOD PRODUCTS IN EUROPE involved 13 partners including 10 mountain study areas from 8 European countries (France, Spain, Italy, Greece, Romania, Poland, Norway and Scotland).

This two-year project was divided into two phases:

- ☞ the first one, which lasted one year, aimed at collecting various strategic data from the field through two waves of enquiries focussing on 10 study areas and at analysing them;
- ☞ the second one is a consultation stage within Euromontana network and also with a wider public by means of two major events (the scientific seminar in Turin – February 2004 and the final conference in Cordoba- June 2004).

The outputs of the programme are of two types:

- ✓ the wide dissemination of information through the establishment of a website in order to provide the relevant data to various actors, policy makers and researchers involved in this field;
- ✓ the identification of strategic proposals for the development of mountain food products at the European level, relevant to the professionals responsible for policy design and policy implementation at European, national or regional levels.

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