

**NOTICE**

Published under Article 31(3a) of Commission Delegated Regulation (EU) 2019/33 of 17 October 2018 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector of the decision to accept an application to protect “**Generoso"** as a traditional term under the UK Government’s domestic Traditional Terms scheme.

Notice is given to Instituto Nacional De Vitivinicultura and to the public that, pursuant to Article 31(3) of assimilated Regulation 2019/33, the Secretary of State has decided to protect "Generoso" as a traditional term in the Spanish language as a traditional term for certain liqueur wine from Argentina.

**Reason for the decision**

The Secretary of State examined an application submitted under Article 21 of assimilated Regulation 2019/34 to protect “Generoso" as a traditional term and, having scrutinised the application in accordance with Article 28(2) of assimilated Regulation 2019/33, was satisfied that the conditions laid down in the Regulation were met.

In accordance with Article 28(3) of assimilated Regulation 2019/33, the Secretary of State published the application to protect "Generoso" as a traditional term, starting the period during which the application could be opposed under Article 22(1) of the Regulation. No notice of opposition was submitted to the Secretary of State during this period.

The Secretary of State, being satisfied that the conditions laid down in assimilated Regulation 2019/33 have been met in respect of the application, has decided, in accordance with Article 31 of the Regulation, to protect the name "Generoso" as a traditional term.

# **Appeal against the decision**

An appeal against the Secretary of State’s decision can be made to the First-tier Tribunal in accordance with Article 39a of assimilated Regulation 2019/33, as read with Annex A2 to that regulation, and the 2009 Rules. The appropriate notice to complete is form GRC1, which can be found on the www.gov.uk website.

Rule 22(2) of the 2009 Rules specifies what the notice of appeal must include. This includes the name and address of the respondent (rule 22(2)(d) of the 2009 Rules).

The name of the respondent is the Department for the Environment, Food and Rural Affairs. This should be included in section 4.1 of the form (regulator’s details).

The address given in section 4.2 of the form should be that of the Government Legal Service, whose postal address is:

102 Petty France

Westminster

London

SW1H 9AJ

In section 4.3 of the form, under contact details, you should provide the following service email address of the Government Legal Department:

newproceedings@governmentlegal.gov.uk

In accordance with rule 22(3) of the 2009 Rules, an appeal against the decision to which this notice relates must include a copy of this notice.

An appeal must be made by sending or delivering a notice of appeal to the Tribunal so that it is received by the Tribunal before 5 p.m. on the 29th of July 2025.

A successful appeal may mean that "Generoso" is removed from the register, ending its protection as a traditional term.

**Note**

Note that under the third subparagraph of Article 33(1) of assimilated Regulation 2019/33 a registered homonymous term may be used only if there is sufficient distinction in practice between use of that registered homonymous term and any other homonymous term already in the register, having regard to the need to treat the producers concerned in an equitable manner and the need to avoid misleading the consumer.

# **Interpretation**

In this Decision:

1. “the 2009 Rules” means the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 (S.I. 2009/1976), as amended;
2. “assimilated Regulation 2019/33’ means Commission Delegated Regulation (EU) 2019/33 of 17 October 2018 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, restrictions of use, amendments to product specifications, cancellation of protection, and labelling and presentation, as amended;
3. “assimilated Regulation 2019/34” means Commission Implementing Regulation (EU) No 2019/34 of 17 October 2018 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, amendments to product specifications, the register of protected names, cancellation of protection and use of symbols, and of Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards an appropriate system of checks, as amended;
4. “the register” means the register referred to in Article 25 of assimilated Regulation 2019/34.