

# DOLPHINS WP 6 CHECKLIST

## PORTUGAL

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<b>A. Legal protection for OLPs</b>	
<b>1. Legal frame for the protection of OLPs</b>	
<b>A.1.1.</b> What are the legal provisions in order to implement the EC Regulation 2081/92 in your country?	Administrative Rule N° 47/97 of 30 June 1997
<b>A.1.2.</b> What are the other legal regulations and provisions to provide protection for OLPs in your country, out of the EC Regulation 2081/92?	Code of Industrial Property (Decree Law N° 16/95 Art.º 172, 173 and 174): collective marks which could be marks of association and marks of certification
<b>A.1.3.</b> What is your national jurisprudence about non geographical names which would have been requested to be registered as protected OLPs?	There is no national jurisprudence on this point.
<b>A.1.4.</b> What are the procedures for the definition of the product characteristics regulation and the area of production for protected OLPs in your country? Mention the consultation and decisions bodies which are involved in the procedures.	The application for registration of PDO or PGI by the “group of producers” shall include the specifications referred in the Reg. 2081/92, Article 4, n. 2: a description of the agricultural product or foodstuff and the definition of the geographical area. The examination of the application is made by <i>Direcção-Geral do Desenvolvimento Rural</i> (DGDR) Directorate-General of Rural Development – Ministry of Agriculture, Food and Fisheries), involving exchange of correspondence and meeting with applicant to resolve queries; final examination is made by DGDR, after hearing the Commission entitled “ <i>Comissão Consultiva Interprofissional para a Certificação dos Produtos Agro-Alimentares</i> ” (“Advisory and Inter-professional Commission for the Certification of Agricultural Products and Foodstuffs”); if application is deemed valid by DGDR, submission of that application is sent to European Commission (EC); while EC examines the application, the Secretary of

	State of Rural Development can emit a dispatch of national recognition of the product as Designation of Origin or Geographical Indication and decides the group of producers could register the product in the National Institute of Industrial Property (INPI) in name of the DGDR.
<b>A.1.5.</b> In your country, how would it be decided that a geographical name is a generic one? Mention the jurisprudence, the procedure and the decision bodies.	Code of Industrial Property (Decree Law N° 16/95, Art.º 256): on request of some interest part, the registration of one DO or GI expires when it becomes a common and generic designation of a processing system or of a type of products only known by that designation. Only a judicial decision can declare the invalidation or the cancellation of DO or GI. There is no jurisprudence about this subject.
<b>2. Institutional frame</b>	
<b>A.2.1.</b> Which are in your country the public and private institutions involved in the application of EC Regulation 2081/92?	<i>Directorate-General of Rural Development (DGDR- Ministry of Agriculture, Food and Fisheries, public):</i> - it proposes and it adopts the national measures - it does the management of the PDO and PGI protection system <i>Group of Producers (private):</i> - it applies the registration of DO and GI - it proposes the product specifications - it allows the use of PDO and PGI - it does the management of the DO/GI use - it promotes the products - it gives the fines <i>Inspection Bodies (private):</i> - it controls the production and does the reports - it certifies the products and allows the use of the certification mark - it does not allow the use of its certification mark in case of some infractions infringements
<b>A.2.2</b> Which are in your country the public and private institutions involved in the application of legal systems of protection for OLPs other than EC Regulation 2081/92?	The collective marks (Code of Industrial Property) can belong: i) to associations of producers, manufacturers, traders or suppliers of services; ii) or to some collective person governed by private or public law which have the legal capacity to have rights of certification mark or to have rights for supervising, control or certification of economic activities.
<b>A.2.3.</b> Which are the different regional levels for the application of legal systems of protection for OLPs, and which are the institutions linking these different levels?	There are no these regional levels in Portugal
<b>A.2.4</b> What is the expected evolution for the institutional frame in your country?	Expected evolution: i) the extent of financial supports to OLPs other than PDOs or PGIs (collective marks, traditional and craft products,...) that could be connected in the future with the Portuguese Regional Measure "Agriculture and Rural Development" (entitled AGRIS) supported by the Regulation (EC) N° 1257/99; ii) the improvement of proceedings concerned the legal capacities and responsibilities of the producer groups and of the inspection bodies in terms of no conformities to the product requirements; iii) the Portuguese Government will approve a new Code of Industrial Property, revoking the present Code (Decree Law n.º 16/95), until 30 of June 2002.

<b>3. Relations between OLPs and trademarks</b>	
A.3.1. What are the legal provisions concerning the indication of origin and the trademark with geographical indication in your country?	Code of Industrial Property (Arts 166 and 188b): the trade mark may consist of any geographical name. But the trade mark can not consist <u>exclusively</u> of signs or indications which may serve, in trade, to designate geographical origin on the product
A.3.2. Could you give some cases of jurisprudence in your country concerning the conflicts between geographical indications (protected and non protected ones) and trademarks?	<p>- The registration of the wine trademark “Encosta da Beira“ was refused. The Court considered that: i) Beira is a wine production region which have an identifiable geographical origin; ii) the trade mark “Encosta da Beira“ consists <u>exclusively</u> of the place of wine origin which is proposed to registration. The Court considered also that “Encosta da Beira“ was a generic designation that can no be monopolized by an entity in its own advantage, otherwise the other wine producers from that region and the consumers may be damaged.</p> <p>- Budweiser Budvar, National Corporation from the Czech Republic, applied appeal to the Court for the order of the Director of National Institute of Industrial Property that granted the registration in Portugal of the beer trademarks Budweiser and Bud, in 1995. The Appellant alleged that one mark composed by an indication of geographical origin from the Czech Bohemia could not be registered as a trademark in favour of a Corporation from USA (Anheuser-Busch, Inc.). The appellant alleged that the expressions “Budweiser” and “Bud” refer to the Czech city named Ceské Budejovice, translated by Budweis in German. The Portuguese Supreme Court refused the appeal of the Czech Corporation, in 2001; so the referred registration in Portugal of the beer trademarks Budweiser and Bud remains.</p>
A.3.3. Could you give some cases in your country concerning the conflicts between previously registered trademarks and registered PDOs and PGIs?	The registration of the meat “Carne dos Açores” GI was requested in 2001. The Corporation “Tertrade – Comércio, Importação e Exportação da Terceira Lda” applied appeal against that registration. The appellant alleged that it was the registration holder of the national trademark of meat (“Pasto Verde – Carne Natural dos Açores”). There is no yet final decision.
A.3.4. What are the procedures to provide protection to geographical indications of other countries which do not have a sui generis system of protection?	Lisbon Agreement, of 31 October 1958: Algeria, Bulgaria, Burkina Faso, Congo, Cuba, Slovakia, France, Gabon, Haiti, Hungry, Israel, Italy, Mexico, Portugal, Czechoslovakia, Togo and Tunisia. Bilateral Agreements: Portugal with: Brazil (1933), Canada (1954), Czechoslovakia (1986), USA (1910), Hungry (1981), Island (1965), Norway (1931), Pakistan (1958), Switzerland (1977), Uruguay (1957), Egypt (1961).
<b>4. Monitoring and certification for OLPs</b>	
A.4.1. How is the EC Regulation 2081/91 implemented in your country concerning the monitoring and certification of the PDOs and PGIs?	Administrative Rule N.º 47/97 of 30 June 1997, n.º 3: the monitoring and certification of PDO and PGI are made by private institutions or by professional or inter-professional institutions, which are approved for that purpose by the DGDR. The DGDR supervises the actions of the inspection body and it must withdraw approval from the inspection body where is no longer fulfilled the compliance with procedural rules related to its action are.
A.4.2. Are the monitoring and certification of OLPs legally required for systems of protection out of EC Regulation 2081/92 in your country?	The monitoring and certification of OLPs with “certification marks” (out of EC Regulation 2081/92) is legally required (Code of Industrial Property, Art.º 174).
A.4.3. Are the monitoring and certification of OLPs made by public or private institutions?	i) The monitoring and the certification of PDO and PGI are made by private institutions; ii) the monitoring and certification of OLPs with “certification marks” could be made by its holders that are in general

	collective persons governed by private law.
<b>A.4.4.</b> Which is the role of the public institutions in the definition of the plans for monitoring and non conformities to the product requirements?	- In the case of PDO and PGI: for the approval of the inspection body, the DGDR does the evaluation of its control standard plan that must include: the control actions in detail, the measures and the sanctions in case of no conformities; - In the case of OLPs with certification marks the respective <i>Directorate-General</i> only emits a professional opinion on the Code of Practices in answer to a petition from the holder of the mark.
<b>A.4.5.</b> What are the means of enforcement in relation with the monitoring and certification (financial sanctions, monitoring of the certification body...)?	The DGDR supervises and evaluates the annual work of the inspection body and can withdraw approval from the Inspection Body. There are no financial sanctions imposed against the Inspection Bodies.
<b>A.4.6.</b> Are there public subsidies for monitoring and certification of OLPs in your country?	Yes, there are public subsidies: Administrative Rule N° 946-B/2001 of 1 August 2001, supported by the Regulation (EC) N° 1257/1999 – supports the monitoring and certification of PDO and PGI made by inspection bodies (private); the Inspection Bodies are final beneficiaries of these subsidies.
<b>5. Action against misleading of the consumers</b>	
<b>A.5.1.</b> What are the legal bases for preventing misleading geographical indications in your country?	- Administrative Rule N° 47/97, n.º 8: the DGDR must grant all the information concerning PDO / PGI to the Directorate-General for the Inspection and Control of Food Quality – Ministry of Agriculture (DGICFQ), which has legal capacity on the food quality control. The two General Directorates of the MAFF may establish regular methods of co-operation for taking precautions and actions in case of irregularities concerning the PDO and PGI; in reality, the DGICFQ never had some action in practice and there are no collaboration agreements between the two referred General Directorates. - Code of Publicity (Decree-Law N° 51/2001 of 15 February and Decree-Law N.º 332/2001 of 24 December, Art. 10, n.º 2 e Art.º 16 n.º 2, f) e g): violation against the veracity rights on the origin and the comparative publicity. - Code of Industrial Property (Art.º 260, f) and g) and Art.º 272: unfair competition and undeserved use of private rights.
<b>A.5.2.</b> Are the infringements in relation to geographical indications treated ex officio or only on the request of an interested party?	The infringements in relation to geographical indications could be treated ex officio and/or on the request of an interested party
<b>A.5.3.</b> What are the institutions which are in charge of the repression of the <b>misleading of the consumers</b> ? What are their means, and what are the sanctions?	- Administrative Rule N° 47/97: Directorate-General for the Inspection and Control of Food Quality (DGICFQ) (Ministry of Agriculture) and <i>Inspecção Geral das Atividades Económicas</i> (Inspectorate-General of Economic Activities - Ministry of Economy); sanctions: fines - Code of Publicity (Decree-Law N° 332/2001 of 24 December): <i>Comissão de Aplicação de Coimas em Matéria Económica e de Publicidade</i> (Commission for Giving Fines in Subject Matter of Economy and Publicity) and <i>Instituto do Consumidor</i> (Consumer Institute); sanctions: fines - Code of Industrial Property: Inspectorate-General of Economic Activities and INPI; sanctions: arrest and/or fines.

## B. Policies concerning OLPs production-marketing systems

### 1. Competition and antitrust legislation

<p><b>B.1.1.</b> In your country, what is the national regulation regarding antitrust law ? When and how was the European regulation adapted? Mention the national texts and the authorities and legal proceedings (at the regional and national level).</p>	<p>Decree-Law No. 371/93 of 29 October 1993. Closely reflecting (EEC) Regulation No. 4064/89 of 21 December 1989, the procedures were modified, the scope of application was widened and difficulties of application arising from the previous legislation were resolved with the Decree-Law No. 371/93, in line with the legislation of other Community countries. The aim is to regulate only those concentrations which have a major impact on the market, by making it possible to check whether, as a result of such concentrations, a dominant position would be created or strengthened which might hinder effective competition in the market. The national authorities are: Directorate-General for Competition and Prices (DGCP) (Ministry of Economy) and the Council for Competition. The DGCP shall have to identify practices, to institute and conduct the appropriate legal processes, to undertake necessary sectorial studies, to impose fines. The Council for Competition shall to decide on the appropriate processes to be instituted, to formulate opinions in proceedings, to impose fines. There are no regional authorities.</p>
<p><b>B.1.2.</b> Are there inquiries of your antitrust law authorities that concern(ed) an OLP supply chain ? a) Which was the reason for inquiry : fixing of global quantities, fixing of indicative prices on intermediary markets, attribution of production quotas to enterprises, disagreement on the relevant market size ...? 1. b) Which were the conclusions of the inquiry (please send documents such as law papers or trial decisions)? c) Did this recommendation or decision lead to a modification of the national law rules ?</p>	<p>There are no inquiries. This Act (Decree-Law No. 371/93) applies to all economic activities, whether lasting or occasional, undertaken in the private, public and cooperative sectors (Article 1, n<sup>o</sup>. 1), but restrictions on competition that derive from specific laws are exempt from the application of this Act (Article 1, n<sup>o</sup>. 3). PDO and PGI are included in specific laws.</p>
<p><b>B.1.3.</b> If there was no inquiry in your country, why ? What is the philosophy of your national antitrust law authorities regarding the OLP supply chains ?</p>	

<b>2. Collective institutions of the supply chain</b>	
<i>We call "interprofession" a multi-professional institution that has no commercial statute and whose mission is to co-ordinate the market operations between at least two levels of a given food product supply chain. An "interprofession" is generally an association that is composed of two bodies or more (such as producers, processors, traders, sometimes retailers...), which may negotiate and make decisions in order to improve the collective efficiency of the supply chain. (In France and Switzerland : interprofessions ; in Italy : consorzio ; in Germany : Branchenorganisationen).</i>	
<b>B.2.1.</b> Is this kind of institution at work in your country? Which are its national legal basis (texts) ?	- The national Law foundations for "interprofession" are: Law No. 123/97 of 13 November; Administrative Rule n°. 967/98 of 12 November. - There are Law texts about "interprofession" but there are no "interprofessions" working about both milk, fruits, meat and OLPs in Portugal; only the interprofession "Vegetables of Oeste Region" has applied for recognition by the Ministry of Agriculture at the moment.
<b>B.2.2.</b> Do they concern a specific product (such as milk, fruits, meat...), specific geographic areas (regional, national), specific quality labels, specific OLP products ? (please if possible send a list of these multi-professional entities)	There are Law texts about "interprofession" but there are no "interprofessions" working (about both milk, fruits, meat and OLPs) in Portugal
<b>B.2.3.</b> Which are their possible missions : marketing studies, strategic analysis, promotion, quality control, negotiation of contract templates, fixing of indicative prices on intermediary markets within the supply chain, fixing of global quantities, attribution of production quotas to processing units...?	Their possible missions are: - improving the knowledge and the transparency of production and the market; - drawing up the forms of contract between the economic agents - providing the information and developing the research activity with public research units to adjust production towards products more suited to market requirements; - developing controls for improving product quality at levels of production, processing and arranging; - developing promotion actions in the internal and external markets for improving the confidence of consumers and for seeking new markets. - helping for the certification of final product
<b>B.2.4.</b> What are the punitive sanctions, when a decision is not respected by a member ?	Law No. 123/97 (Art. 10°): the fines are defined in terms of the Decrees-Laws N.º 433/82 and 244/95 concerning the general regime of administrative offence.
<b>B.2.5.</b> Is the extension of agreements to non-members authorised and supported par the State ? [can a decision taken by the interprofession become compulsory for non-members?].	The total or partial extension of agreements to non-members is authorised par the Ministry of Agriculture; these extensions are compulsory to the economic actors both singular and collective entities, that have their activity in the region(s) concerned and that are non-members of the sector concerned.
<b>B.2.6.</b> Does the State control the institutions (assessment of the effectiveness, control of an eventual competencies violation, accounting control)?	The State (Ministry of Agriculture: DGICFQ and regional Directorates-General) controls the execution of the agreements approved by the MAFF.
<b>B.2.7.</b> What are the financial resources of the interprofessions (subsidies from the state, contribution from the members, etc)?	Subsidies from the State and contribution of the members

<p><b>B.2.8.</b> Do you think that these multi-professional entities are going to develop or to decline in your country? Why (benefits and limits)?</p>	<p>These multi-professional entities did not develop (and the persons interviewed think that are no going to develop...) because: i) the financial subsidies from the EU and from the State are not considered to be enough by the agents of several sectors; ii) there are difficulties for measuring the representativeness of organisations or associations which constitute the interprofession in terms of national Regulation 967/98, N.º 2, b).</p>
<p><b>3. Public support to OLP supply chain management</b></p>	
<p><b>B.3.1.</b> Do you have programs in your country to support the leaders training and to improve the quality of management of OLPs supply chains ?  <i>Training programs for leaders: marketing; business; quality control; management; social leadership; negotiation</i>  <i>Communication tools within the supply chain</i>  <i>Strategic analysis</i>  <i>Quality control operations</i></p> <p><i>Programs at local regional or national scale</i></p>	<p>The training of leaders and to improve the quality of management of OLP supply chains could be supported by funds of the Measure 7 “Training” (Action n. 1) of “Portuguese Operational Programme for Agriculture and Rural Development” entitled AGRO (national scale).</p> <p>We have a training program for leaders of “Olive and Olive-oil supply chain” (OLP and no OLP)</p> <p>The training programs were prepared for these leaders in four Portuguese regions (<i>Trás-os-Montes, Beira Baixa, Ribatejo and Alentejo</i>).</p>

## C. Policies concerning the links between OLPs and rural development

### 1. What public subsidies can the OLPs sectors/producers get, as public support for rural/local development ?

# para-public institutions : public control institutions for PDO-PGI, public established interprofessional bodies, partly public funding NGOs, etc.

	Local institutions	Regional institutions	National institutions	Para-public institutions (all scale)#
<b>C.1.1.</b> Financial subsidies for : investments - Production (enterprises equipment– buildings) - Transformation / elaboration (enterprises equipment– buildings) - Trade (enterprises equipment– buildings– transportation) - Communication (internal / external)		1*) Public financial subsidies for investments in production, transformation and trade (enterprises equipment– buildings- transportation) and communication- only for PDOs and PGIs.  2**) Financial subsidies only for Communication	* Financial subsidies only for Communication	In Portugal, there are no
<b>C.1.2.</b> Financial subsidies : - How are they distributed? -Working of the professional structures: human resources, marketing operations		1*) Funds from the regional Measure “Agriculture and Rural Development”, entitled <i>AGRIS</i> , supported by the Regulation (EC) N° 1257/99 - Managing authority: Manager of Regional Operational Programmes - President of Regional Coordination Commissions (RCC), Ministry of Planning; - Final beneficiaries: i) producer groups that do	* Funds from the Programme LEADER +  - Managing authority: Portuguese Manager of Programme LEADER +, (DGDR – Ministry of Agriculture) - Final beneficiaries: Local Action Groups, Producer Groups, Town Councils.	

		<p>the management of PDOs and PGIs; ii) singular or collective persons.</p> <p>2**) Funds from the European Regional Development Fund (ERDF) and from the <i>INTERREG</i></p> <p>Managing authority: President of Regional Coordination Commissions (RCC), Ministry of Planning;</p> <p>Final Beneficiaries: producer groups that do the management of PDOs and PGIs.</p>		
<p><b>C.1.3.</b> Information :</p> <p>- Legal aspects (laws on trademarks &lt;regional, collective, certification ones&gt;, laws on PDO-PGI, ...)</p> <p>Means : easiness of access to the information (“guichet unique” ?...)</p>			<p>- The GAPI - network of “Offices for Supporting the Promotion of Industrial Property”: small structures seeking the transmission of information and the dynamism of actions to promote Industrial Property;</p> <p>- It is a Project for the biennium 2001-2002;</p> <p>- Project Partners: Associations of Industrial Enterprises, Centres for Technological Innovation, Universities, Technological Parks;</p> <p>- Economic sectors concerned: Industry and Services.</p>	
<p><b>C.1.4.</b> Training programs for people involved in the supply</p>			<p>These training programs could be supported by funds</p>	

chain (marketing, management, economics, ...)			of the Measure N.º 7 “Training” of Programme AGRO, the “Portuguese Operational Programme for Agriculture and Rural Development”. Managing authority: Manager of Programme AGRO (Ministry of Agriculture)	
<b>C.1.5.</b> Administration support (application files for registration of PDO-PGI, for grants...)		For non-certified OLP: (? with collective marks in the future?): Managing authority: President of Commission for Coordination of <i>Algarve</i> Region, Ministry of Planning; Final Beneficiaries: private institutions for the local and regional development of <i>Algarve</i> Region; singular persons.		
<b>C.1.6.</b> Technical support (public monitoring and control against misleading of the consumers, production technical research, scientific popularization, ...)		Production technical research, scientific popularisation: Universities in the Regions	Production technical research, scientific popularisation: - National Institute for Agronomic Research - Faculty of Agronomy (Lisbon) - The activities of Demonstration and Experimental Development can be supported by funds of the Measure N.º 8 of Programme AGRO, the “Portuguese Operational Programme for Agriculture	

			and Rural Development”.	
<b>C.1.7.</b> Political support (support to application files for registration of PDO-PGI, for grants...)		The studies of characteristics description of the quality products and of their particular methods of producing can benefit from funds of Measure AGRIS, Action n.º 2; Final Beneficiaries: Producers Group of potential PDO or PGI		
<b>C.1.8.</b> Material support (equipment, land,...)				
<b>C.1.9.</b> Legal incentives (regulations for the use of public goods, ...)				
<b>2. Integration and co-ordination of public policies</b>				
<b>C.2.1.</b> What are the public policies aiming at creating or strengthening the links between OLPs and other economic activities?; normative, financial, promotional, technical supports...	Normative and promotional public supports: i) link between OLPs and the Programme for the Promotion of the Craftwork and its Micro- Enterprises - PPART (Resolution of Cabinet N° 136/97 of 14 August and Decree Law N° 41/2001 of 9 February): status of the artisans and of their micro- enterprises and process which can accredit these production units; ii) link between OLPs and the Gastronomy (Resolution of Cabinet N° 96/2000 of 26 July): the Portuguese Gastronomy was decreed as National and Cultural Heritage: support for the organisation of regional and national contests about original culinary done with traditional products.			
<b>C.2.2.</b> Analysis of innovative projects based on OLPs within the frame of UE LEADER program	Within the frame of UE LEADER program: financial support on small and craft firms (cheese and sausage), promotion of PDOs (communication: brochures and participation in fairs).			
<b>C.2.3.</b> What are the public policies aiming at facilitating the development of OLPs production in small and craft firms (information, training...)?	Normative and promotional public supports: link between OLPs and the PPART: status of the artisans and of their micro- enterprises and process which can accredit these production units.			
<b>C.2.4.</b> What are the institutional tools aiming at integrating and co-ordinating different policy tools at a local scale (e.g. Contrats territoriaux d'Exploitation – CTE – in France, Agri-food Quality Districts and Rural Districts in Italy...)?	There are no these institutional tools in Portugal			

<p><b>C.2.5.</b> Role of OLPs related interventions within the frame of the EC Regulation 1257/99 (rural development): regional plans, priorities, specific means, etc.)</p>	<p>In Portugal, the Regional Measure “Agriculture and Rural Development” entitled <i>AGRIS</i> includes the Action N° 2 “Development of the Quality Products”. The Regulation (EC) N° 1257/99 on promotion of rural development supports that Action N.º 2.</p> <p>The Action N° 2 “Development of the Quality Products” only may concern: PDO, PGI, TSG, organically-produced and IPM-produced agricultural products and others that could be connected with the law in the future.</p> <p>So, PDOs and PGIs are basic parts of the referred Regional Measure <i>AGRIS</i>. In the terms of Council Regulation (EC) N° 1260/1999 laying down general provisions on the Structural Funds, the Regional Measure <i>AGRIS</i> is supported by “Portugal – Development Plan 2000-20006” and by its <i>priorities of the strategy</i> and <i>specified targets</i> (pp III-18 and V-42): “promoting the quality and the innovation of agro-forestry and agro-rural production ... for meeting the new demands of consumers in terms of quality and food safety; improvement of resources of the rural territory and supporting of its development and economic diversification”.</p>
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## D. Policies concerning the relations between OLPs and consumers

### 1. PDO and PGI promotion

<p><b>D.1.1.</b> In your country and language, which term is used to indicate on a package or a promotional advertising that a product is a PDO product?</p>	<p>Only on a package: the labels of the Producer and of the Inspection Body without special words.</p>
<p><b>D.1.2.</b> In your country and language, which term is used to indicate on a package or a promotional advertising that a product is a PGI product?</p>	<p>Only on a package: the labels of the Producer and of the Inspection Body without special words.</p>
<p><b>D.1.3.</b> Is there any generic promotion of the PDO and/or PGI label in your country?</p> <ul style="list-style-type: none"> <li>• When yes: <ul style="list-style-type: none"> <li>- Which kind(s) of organisation(s) is/are in charge of this generic promotion?</li> <li>- With which kind of financial means?</li> <li>- What is the basic strategy to communicate on the PDO and/or PGI label (a promotion focused on the label, a promotion on the AOC label in link with some AOC products, ....)?</li> </ul> </li> <li>• When no: <ul style="list-style-type: none"> <li>- Could a generic promotion on PDO and/or PGI label be financially supported by public funds? With which kind of money?</li> <li>- Do you think that such a generic promotion would be necessary?</li> </ul> </li> </ul>	<p>There is <b>no</b> any generic promotion of the PDO and/or PGI label in Portugal for the consumers.</p> <ul style="list-style-type: none"> <li>- The Regulation (EC) N° 1257/1999 of 17 May 1999, on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF), doesn't allow the promotion of the agricultural products for the consumers because the "unjustified distortions of competition resulting from rural development measures should be avoided". The Leader Program also doesn't allow it.</li> <li>- Concerning the PDO / PGI products in Portugal, the financial aids for the "reinforce of market access capacity" - Action N.º 2 of Regional Measure <i>AGRIS</i> supported by the Regulation (EC) N° 1257/1999 - <u>only allows</u> to their beneficiaries: i) the creation of packages, labels and logotypes; ii) the production of information material (<i>only the creation of brochures</i>); iii) and the organisation and preparation of its fairs participation;</li> <li>- The beneficiaries of these financial aids shall be <i>Group of Producers (private)</i> that does the management of the DO/GI use;</li> <li>- A generic promotion on PDO and/or PGI labels for consumers could be financially supported by public and national funds; however, due "the effective competition in the market" the European Commission: i) must be notified (products in reference, period of promotion, addressee people, ...) of the promotion's intention by the national authorities; ii) must approve that promotion.</li> <li>- There are no national measures with financial support for promoting the PDO and/or PGI labels.</li> <li>- We think that a generic promotion will be necessary, because there are studies that indicate there is not enough knowledge (and consequent) valuation) on PDO and/or PGI label, from the Portuguese consumer's point of view.</li> </ul>
<p><b>D.1.4.</b> Do the PDO-PGI supply chains have any public financial resources to promote their denomination (as a collective product and not as private brand)?</p>	<p>The PDO-PGI supply chains do not have any public financial resources to promote their denomination. (See the previous point)</p>

<ul style="list-style-type: none"> <li>• When yes : - With which kind of public means, and under which conditions?</li> <li>• When no : - Do you think that such a support should be possible?</li> </ul>	
<p><b>D.1.5.</b> In general, do the supply chains promote their protected denomination with reference to the PDO label (messages linked with the PDO label such as “this product is protected by a official label, a PDO.....)?</p>	<p>- In general, the supply chains do not promote their protected denomination</p>
<p><b>D.1.6.</b> In your country, do the supply chains communicate within their supply chains to make the PDO label well known among all the producers? Can the communication within a supply chain be supported by public funds?</p>	<p>- In general, the supply chains do not communicate in that sense.</p> <p>- The communication within a supply chain could be supported by public funds from the <i>AGRO</i> Programme, Measure N° 10 “ Agro-Rural Specialized Services “.</p>
<p><b>2. Other OLPs promotion</b></p>	
<p>Precise to which OLP you will refer (here after called regional label or product)</p>	
<p><b>D.2.1.</b> Is there any generic promotion of regional labels in your country?</p> <ul style="list-style-type: none"> <li>• When yes: - Which kind(s) of organisation(s) is/are in charge of this generic promotion? - With which kind of financial means? - What is the basic strategy to communicate on this regional label (a promotion focused on the label, a promotion on the AOC label in link with some regional products, ....)?</li> <li>• When no : - Could a generic promotion on a regional label be financially supported by public funds? With which kind of money? - Do you think that such a generic promotion would be necessary?</li> </ul>	<p>- There are no regional labels in Portugal - There is no any generic promotion of regional products in Portugal for the consumers.</p> <p>- A generic promotion of regional labels or products for consumers could be financially supported by public and national funds; however, due “<i>the effective competition in the market</i>” the European Commission: i) must be notified (products in reference, period of promotion, addressee people, ...) of the promotion’s intention by the national authorities; ii) must approve that promotion.</p> <p>- Because there are not regional labels in Portugal, we have not anything to say about a generic promotion necessity for the labels.</p>
<p><b>D.2.2.</b> Do the regional organisation in charge of the regional label have any public financial</p>	<p>Not relevant.</p>

resources to promote their denomination (as a collective product and not as private brand)?	
<ul style="list-style-type: none"> <li>• When yes : <ul style="list-style-type: none"> <li>- With which kind public means, and under which conditions?</li> </ul> </li> <li>• When no : <ul style="list-style-type: none"> <li>- Do you think that such a support should be possible?</li> </ul> </li> </ul>	

### 3. Consumer survey

Who does the survey ?	Food survey in general	PDO-PGI labels surveys	PDO-PGI products surveys	Other OLP survey
State	INE- Portuguese Statistical Institute, "Consumption of households" Ministry of Commerce- "Commerce Observatory"			
Public funds				
Region				
Types of financial resources?				
Research institutes				
Types of financial resources?				
Private organisations	NIELSEN, "Yearbook Food" MARKTESTE, "Yearbook Food"			
Types of financial resources?	private			
Supply chains				
Types of financial resources?				
Other				
Types of financial resources?				