

Regional Product in the System of EU, Polish and Slovak Law

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DOI: <https://doi.org/10.24040/sap.2024.11.4.215-228>

Abstract:

ŻUCHOWSKA-GRZYWACZ, Monika: *Regional Product in the System of EU, Polish and Slovak Law.*

Regional products play an important role in shaping cultural identity, local heritage and the economy of regions. In the context of EU, Polish and Slovakian law, issues related to the registration, protection and promotion of regional products are the subject of special attention and regulation. In this article we will analyse the legal system of the European Union and the regulations in force in Poland and Slovakia concerning regional products. We will look at the definition and criteria of regional products, registration procedures, legal protection and the importance of these products for local communities and the regional economy. By comparing the EU, Polish and Slovakian approaches to the issue of regional products, we try to show similarities, differences and challenges related to the promotion and protection of culinary and cultural heritage at regional and international levels.

In order to expand on the issues identified, a content analysis and document analysis method will be used to show the complexity of the issue and its legal relevance. Due to the specificity of the study, content analysis and document analysis methods will be used. They will allow for a comprehensive analysis of the collected material, which is EU and national legislation. Legal acts, legal monographs, commentaries and scientific articles will be used.

Key words:

regional product, EU law, Polish law, Slovak law, protection of cultural heritage, promotion of local traditions, registration of regional products, geographical protection, regional economy

Introduction

Quality schemes, including regional and traditional products, are important for both producers and consumers. In today's world, where the consumer is increasingly aware, there is a growing interest in high quality products and those with unique traditional characteristics. The consumer wants to be sure of the quality and origin of the product, so it is important to ensure transparency of information about its specific characteristics. The market for regional and traditional products in the European Union is steadily growing in importance and its dynamics are largely shaped by the legal environment. Legislation on the registration, protection and promotion of

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regional products is crucial to the development of this agricultural and food sector. Proper regulation not only supports producers in maintaining the traditions and quality of their products, but also provides consumers with certainty about the origin and characteristics of the product.

Therefore, an understanding and analysis of quality systems, both at EU and national level, are essential for the sustainable development of the agricultural and food sector and for meeting the expectations and needs of the modern consumer.

1. Regional product - attempted definition

The topic of regional product is both broad and complex. It involves a number of inconsistencies both in terms of the concept and in terms of legal solutions. Inaccuracies related to the concept are linked to the fact that there is no unambiguous definition of a regional product and the terms ‚local‘, ‚traditional‘ or ‚regional‘ are used interchangeably in various legal acts at the national and EU level. This results in the inappropriate application of these terms to different types of products. Local and traditional product are not the same as regional product. „Local“ is one with which the people of a particular region identify. „Traditional“, on the other hand, means that it is associated with tradition and has been used for years.¹ As regards the term concerning the term ‚regional‘, the Dictionary of the Polish Language does not provide a definition, but refers us to the word ‚region‘. A region, in turn, is an area with specific landscape, ethnographic or economic features.² The dictionary lists the following as synonyms: local, indigenous, district and region al.³ The term ‚regional‘ is broader than the term local, because ‚regional‘ has a much wider territorial scope, e.g. a geographical area, land, district or province.⁴

EU regulations use phrases such as: products with traditional characteristics, products with traditional names. In national regulations, the phrases „products with traditional characteristics“ or „food produced by traditional methods“ are often used.⁵ In order to create a definition of a regional product, it is necessary to pay attention to the information about it contained in the worldview of the people who encounter the product in question on a daily basis. The main element present in most descriptions is the link to the region. This is the feature most exposed and taken for granted.⁶ The origin of a product is a guarantee of its quality and distinctiveness. These products

1 www.sjp.pwn.pl (date of access: 10 february 2024)

2 www.sjp.pwn.pl (date of access: 10 february 2024)

3 www.synonimy.pl (date of access: 10 february 2024)

4 KACZMAREK, J., – STASIAK, A., – WŁODARCZYK, B., *Produkt turystyczny. Pomysł – Organizacja – Zarządzanie*, Warszawa, PWE, , 2010, p. 110-111.

5 ŻUCHOWSKA-GRZYWACZ, M. *Produkt regionalny z mleka i jego przetworów*, Radom : Wydawnictwo Naukowe Instytutu Technologii Eksploatacji – Państwowego Instytutu Badawczego, 2015, p.18.

6 DUCZKOWSKA-PIASECKA, M. Tradycyjna żywność na obszarach wiejskich. Specyfikacja budowy rynku, In *O produktach tradycyjnych i regionalnych*, cit., p. 49.

therefore combine natural and human factors and this means that a product produced in a given area cannot be reproduced outside it.⁷

Regional products must be closely linked to the geographical area in question and have specific characteristics, e.g. resulting from the soil conditions of the region in question.⁸ In most of the information about the regional product, quality is indicated as a key feature. These products are „characterised by their high quality and special features due to the conditions of the geographical area“.⁹ The distinctive feature of the regional product is its specificity and originality. It derives from traditional production methods, which are in keeping with the culinary heritage, but also from the special climatic conditions.¹⁰ Another feature highlighted is also the uniqueness of the product, which is described as something „different, distinct, unusual, distinctive and of course linked to a particular also a distinctive region“.¹¹

The distinctive feature of a regional product is that it possesses qualities which are linked to the place where it was produced and which distinguish it from others. The uniqueness of a product can manifest itself in many ways, e.g. in taste, smell or appearance. A regional product is closely linked to tradition, which is shaped, for example, by the size of the farms producing the product or the technologies used. The production of these products encourages potential consumers to visit the region in question. The purchaser of a quality product draws attention to the producer and the place where the product was produced. Purchasing a quality product arouses curiosity and encourages a deeper interest in the product and the history of the region.¹² Regional product should not be mass produced, it should be small scale production.¹³

It is precisely the regional product that is the answer to products produced on an industrial scale. It is intended for a narrower public who will appreciate its unique value, rather than for the mass consumer who prefers quantity and price over quality.

As described above, the regional product in EU law is defined by a system of protection originally created under Regulation 2081/92 on the protection of geographical indications and designations of origin for agricultural products and

7 DEREŇ, A. Ochrona produktů regionalnych i tradycyjných w UE, In *Polityka unijnej integracji: wybrane relacje zewnętrzne i wewnętrzne*, DUDEK, M. (ed.) Uniwersytet Zielonogórski, 2008, p. 27.

JASIŇSKI, J., Wyróżnianie produktů regionalnych na rynku i wynikające z tego korzyści, In *O produktach tradycyjných i regionalnych*, cit., p. 304.

8 CAŁKA, E. *Geograficzne oznaczenia pochodzenia. Stadium z prawa wspólnotowego i prawa polskiego*, Warszawa: Wolters Kluwer, 2008, p. 85.

9 KAMIŇSKA, I. Rozwój systemu ochrony produktů regionalnych i tradycyjných, In *Wiedza i Jakość* 2009, no 2(14), p. 14.

10 RUSSAK, G. Idea produktů regionalnych i lokalnych w Unii Europejskiej, In *O produktach tradycyjných i regionalnych*, cit., p.64.

11 DUCZKOWSKA-PIASECKA, M. Tradycyjna żywność na obszarach wiejskich. Specyfikacja budowy rynku, In *O produktach tradycyjných i regionalnych*, cit., p. 49.

12 Ministerstwo Rolnictwa i Rozwoju Wsi, Biuro Oznaczeń Geograficznych, *Vademecum ochrony produktů regionalnych i tradycyjných*, Warszawa, 2008, p. 3, 10.

13 JASIŇSKI, J. Wyróżnianie produktů regionalnych na rynku i wynikające z tego korzyści, [w:] *O produktach tradycyjných i regionalnych*, cit., p. 296.

foodstuffs, and subsequently amended by Regulation 510/2006.¹⁴ These amendments were needed to create the current Regulation 1151/2012 on quality schemes for agricultural products and foodstuffs.¹⁵ This system reserves the registration of product names as Protected Geographical Indications and Protected Designation of Origin. However, the definition of a regional product should not be limited to the EU scheme alone. A regional product can be defined in two ways and given a narrow or broad meaning. In the narrow sense, they will be products whose characteristics are protected by the EU. By contrast, a regional product in the broad sense is a product distinguished respectively by:

- unquestionable link with the region of origin,
- attention to quality
- uniqueness
- tradition.¹⁶

However, it must be stressed that in order for the status of a regional product in legislation to be properly analysed, it is necessary to present the EU designation system by which product names are registered and secured.

2. Characteristics of the regional product in the EU scheme.

Issues related to the protection of regional and traditionally produced products are set out in European Union law in: Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on agricultural product and foodstuff quality schemes, Commission Delegated Regulation (EU) No 664/2014 of 18 December 2013 supplementing Regulation (EU) No 1151/2012 of the European Parliament and of the Council with regard to the establishment of Union symbols for protected designations of origin, protected geographical indications and traditional specialities guaranteed, and with regard to certain rules concerning the origin of feed and raw materials, certain procedural provisions and certain additional transitional provisions¹⁷, Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on agricultural product and foodstuff quality schemes.¹⁸

The French were the initiators of legislation protecting regional specialities. They brought about the translation to the European level of French legislation, which had already been in place since the 1930s and initially concerned the protection of wines (paradoxically, in today's European legislation, they are subject to separate regulations). The introduction of these regulations boosted the development of the production of regional and traditional products and made it possible to implement the principles of the reform of the Common Agricultural Policy, one of whose priorities was to reduce the quantity and increase the quality of food produced in

14 OJ, L 93, 31/03/2006

15 OJ, L 179, 19.6.2014

16 ČALKA, E. cit., p.88-89.

17 OJ EU L 179, 19.6.2014, p. 17.

18 OJ L 179, 19.6.2014, p. 36.

Europe. Protecting these products from fraudulent misappropriation or counterfeiting is at the same time intended to help diversify the supply of agri-food products and better inform consumers about the qualities of the products they buy. Diversifying agricultural production and encouraging the production of quality products are among the most important elements of rural development. Many of the designations awarded concern products produced under difficult soil and climatic conditions (for example, ‚mountain‘ cheeses) or products associated with very labour-intensive production methods. The awarding of ‚regional designations‘ increases the competitiveness of products and can also be an important element in influencing potential customers. A product whose origin is guaranteed by the Union contributes to the image of the area in which it originates and thus encourages visits to the region in question (contributing to the development of tourism). It is worth pointing out that the consumer, having access to a product of a higher quality, at the same time becomes acquainted with its producer and the natural and cultural environment in which it was produced.

As far as consumer information is concerned, having a label is supposed to certify the authenticity of a product on the one hand and be a guarantee of quality on the other. In this way, potential buyers have more data to help them make a choice when shopping. Price is no longer the only or most important argument in favour of a product. By linking the product to the region, the purchase becomes the beginning of contact with the unique culture, tradition, history, community and nature of the area.

A strong tendency can be observed - both in EU countries and in Poland - to emphasise one's own regional affiliation. More and more is being said and heard about the role and importance of „small fatherlands“. Mechanisms to promote and protect the cultural heritage of individual areas in Europe are ideally suited to this trend. The production of regional and traditional products can, on the one hand, count on support for the promotion of this type of production and, on the other, on the interest of the better-off urban population groups and tourists.

Under Article 31 of Regulation (EU) No 1151/2012 of the European Parliament and of the Council, an optional quality term, ‚mountain product‘, has been established. This provision lays down the conditions for the use of this quality term. Commission Delegated Regulation (EU) No 665/2014 of 11 March 2014 supplementing Regulation (EU) No 1151/2012 of the European Parliament and of the Council with regard to the conditions of use of the optional quality term ‚mountain product‘¹⁹ lays down specific rules for the use of the term ‚mountain product‘ and derogations from them in duly justified cases and in order to take into account natural constraints on agricultural production in mountain areas. The designations awarded relate to a range of products that are produced under less favourable soil and climatic conditions. An example is the mountainous areas where cheeses are produced. Products made using time-consuming methods can also apply for the designation. A product bearing the label can compete seriously with ordinary products.

EU quality schemes for agricultural products were introduced as early as the 1990s. in the 1990s. There are three:

19 OJ L 179, 19.6.2014, p. 23.

- Protected Designation of Origin;
- Protected Geographical Indications;
- Traditional Speciality Guaranteed.

The function of these systems is to address quality and to differentiate the product from others of the same type. Each of these schemes is responsible for a different aspect. The Protected Designation of Origin and Protected Geographical Indications place the emphasis on specific environmental conditions (i.e. climate, soil), while Traditional Speciality Guaranteed looks at whether a traditional production method has been maintained.²⁰ Council Regulation No. 1151/2012 of 21 November 2012 on quality schemes for agricultural products and foodstuffs established a scheme to support producers as well as consumers of agricultural products and foodstuffs. The new regulations were introduced in order to simplify the pre-existing rules, as well as to make the process of registering agricultural products more dynamic, while preserving all their qualities.²¹ The aforementioned regulation therefore introduced two systems of protection: the system of protected designations of origin and the system of protected geographical indications. These schemes relate to regional products, i.e. those of known origin. A definition of protected designation of origin is included in the Regulation in Article 5(1). „Designation of origin“ is the name by which a product:

- originating from a specific place, region or, in exceptional cases, country;
- whose quality or characteristics are essentially or exclusively due to a particular geographical environment composed of natural and human factors;
- all stages of whose production take place in the defined geographical area.

„Geographical indication“ is also sanctioned in Regulation 1151/2015 in Article 5(2) and defines a product:

- which originates from a specific place, region or country;
- whose specific quality, reputation or other characteristic is mainly due to this geographical origin;
- whose at least one stage of production takes place in this defined geographical area.²²

In order to authenticate the origin of the products concerned, the graphic symbols of the Protected Designation of Origin and Protected Geographical Indication are placed on their packaging. This was conditioned in Regulation 1151/2012 in Article 12. Article 12(3) provides for the creation of abbreviations that may be used, so that for Protected Designation of Origin there is the abbreviation ‚PDO‘ and for Protected Geographical Indication the abbreviation ‚PGI‘ is used. Both forms of writing are acceptable. The graphic symbols are intended to help protect the product and also to ensure its popularity through proper promotion in the country and throughout the European Union. The marking on the product is a guarantee of the genuineness of

20 CAŁKA, E. cit., p. 109-110.

21 WINAWER, Z. – WUJEC, H. *Produkty regionalne i tradycyjne we wspólnej polityce rolnej*, Warszawa: Europejski Fundusz Rozwoju Wsi Polskiej, 2013 p.34.

22 Regulation No. 1151/2012 of 21 November 2012 on quality schemes for agricultural products and foodstuffs and foodstuffs, Article 5(1) (Official Journal of the EU No. 343/L)

the origin, as well as the uniqueness of the product. The graphic symbols in the EU Member States are similar to each other and the lettering on the logo is in the official language of the country concerned. The only rule is that the EU indication which is placed on the label must have the full name written on it and the wording must be clear.²³ The principle that must be met for a product to be protected by EU law is that there is an indisputable link between the product's qualities and its geographical origin. In the case of these designations, protection is granted only to those products that show a link between the two characteristics.

The delimitation of the geographical area is set out in Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on agricultural product and foodstuff quality schemes. Article 2 states that: „The geographical area to which protected designations of origin and protected geographical indications are attributed must be delimited in a precise, unambiguous manner, with reference as far as possible to physical or administrative borders.”²⁴

The European Union is currently working on reforming intellectual property law, with a focus on geographical indications. The upcoming changes aim to strengthen the geographical indication system while considering current market realities, particularly related to online trade. One of the new regulations will be partially applied soon, with two additional regulations set to be fully implemented next year, addressing these issues comprehensively.²⁵ Protection for non-agricultural products already exists under the Geneva Act of the Lisbon Agreement, managed by the World Intellectual Property Organization (WIPO). Through the so-called Lisbon system, it is possible to obtain protection for appellations of origin and geographical indications for various types of products in up to 73 countries through a single procedure. However, to achieve consistency, especially given that only some EU member states (like Poland) provide national systems for protecting geographical indications for both agricultural and industrial products, the decision was made to extend this protection across the entire EU, covering non-wine, non-spirits, and non-agricultural products.

Regulation 2023/2411 came into effect on November 16, 2023, with some technical provisions for implementing the protection system applying from that date. The full implementation of Regulation 2023/2411 is set to begin on December 1, 2025, when applications for registering geographical indications for artisanal and industrial products will be accepted.

For other product categories like wines, spirits, and agricultural products, protection is provided under Regulation (EU) 2024/1143 of the European Parliament and the Council, issued on April 11, 2024. This regulation covers geographical indications for wines, spirits, and agricultural products, as well as guaranteed traditional specialties and optional quality terms for agricultural products. It amends Regulations (EU) No

23 ŻUCHOWSKA-GRZYWACZ, M. cit., p. 37.

24 Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on agricultural product and foodstuff quality schemes, Article 2.

25 <https://skslegal.pl/raport-sks-nowe-kategorie-oznaczen-geograficznych-w-prawie-ue/> (access:6 November 2024)

1308/2013, (EU) 2019/787, and (EU) 2019/1753, and repeals Regulation (EU) No 1151/2012. The regulation entered into force on May 13, 2024, and aims to unify disparate regulations into a single legal framework.²⁶ An interesting aspect in this context will be the strengthening of protection for these products on the Internet. These legal regulations aim to address the current needs of the market.

3. Regional product in regulations in Polish and Slovak law

In Poland, the Ministry of Agriculture and Rural Development is the entity responsible for running the registration system for products with a specific geographical origin and specific traditional quality, as defined by EU regulations.

Pursuant to the Act of 9 March 2023 on the Registration and Protection of Appellations of Origin, Geographical Indications and Traditional Specialities Guaranteed for Agricultural Products and Foodstuffs, Wines or Spirits and Traditional Products²⁷, the Ministry of Agriculture and Rural Development is responsible for receiving, evaluating and submitting applications for the registration of designations of origin, geographical indications and traditional specialities guaranteed to the European Commission.

The Act on the Registration and Protection of Appellations of Origin, Geographical Indications and Traditional Specialities Guaranteed for Agricultural Products and Foodstuffs, Wines and Spirits and Traditional Products also regulates the following:

Rules and procedures for the evaluation of applications for registration of designations of origin, geographical indications and traditional specialities guaranteed, the conditions for provisional protection of agricultural product and foodstuff names, wines or spirits on a national basis prior to registration at EU level, the rules and procedures for the control of agricultural products and foodstuffs, wines or spirits bearing a protected designation of origin, a protected geographical indication or a traditional speciality guaranteed, the conditions for maintaining the list of traditional products, criminal sanctions for:

- authorised certification bodies that carry out official controls despite not meeting the conditions set out in this Law and acting in breach of the obligations referred to in this Law;
- natural persons, legal persons or organisational units without legal personality, who act without authorisation, prevent or obstruct the carrying out of surveillance control activities; counterfeiters of products whose names are protected. The Act on the Registration and Protection of Designations of Origin, Geographical Indications and Guaranteed Traditional Specialities of Agricultural Products and Foodstuffs, Wines or Spirits, and Traditional Products, in addition to the regulations on the registration of names at the EU level, also creates a List of Traditional Products. The list includes products whose quality or unique characteristics and properties result from the use of traditional production methods, which are part of

26 <https://www.parp.gov.pl/component/content/article/86999:nowe-rozporzadzenie-w-sprawie-ochrony-oznaczen-geograficznych-czyli-o-ochronie-produktow-rzemieslnicznych-i-przemyslowych> (date of access: 6.11.2024)

27 Journal of Laws of 2023, item 588

the cultural heritage of the region in which they are produced, and which are an element of the identity of the local community. However, production methods used for a certain number of years are considered traditional. The List of Traditional Products is intended to disseminate information on products manufactured using traditional, historically established methods.²⁸

Slovakia, with its rich cultural heritage and diverse geographical landscape, has many unique regional products that reflect local traditions, flavours and folk crafts. Culinary tourism is becoming increasingly popular in Slovakia, and travellers often attend local culinary festivals and regional product fairs to taste traditional dishes and buy local products. Culinary-tourism trails that lead through scenic regions of Slovakia provide travellers with the opportunity to experience the country's culture, history and flavours. To support local producers and protect the culinary and cultural heritage, Slovakia is introducing support programmes for local producers and promoting the importance of quality labels and certificates that guarantee the authenticity and high quality of regional products. By promoting local brands on the national and international market, Slovakia hopes to increase awareness and appetite for its unique regional products.

In Slovakia, registration of regional products is carried out in accordance with European Union law and national regulations governing the protection of geographical names and geographical indications. The main legal acts regarding the registration of regional products include national legislation, implementing regulations of the European Commission: - Slovakia must comply with EU regulations on the registration of regional products, which set out detailed criteria for registration, application procedures and requirements for monitoring and protection of registered products. In Slovakia, there are agencies responsible for implementing the regulations on the registration of regional products, such as the Ministry of Agriculture and Rural Development and the Slovak Office for Standardization, Metrology and Testing.²⁹

The procedure for registering regional products in Slovakia includes several steps:

- A producer or organization interested in registering a regional product must submit an application to the relevant national agency.
- The Agency assesses whether the product meets eligibility criteria such as geographical origin, traditional production methods, etc.
- Public consultations are often carried out to explore the views and comments of interested parties.
- After approving the application, the agency registers the regional product.
- Registered products are monitored for compliance with specific criteria and protected against abuse and unauthorized use of the name.

Through these steps and procedures, Slovakia strives to maintain the authenticity and uniqueness of its regional products, promoting them both on the domestic and international markets. The European Union registered „skalický trdleník“ as the first

28 <https://www.gov.pl/web/rolnictwo/przepisy-polskie-produkty-regionalne-i-tradycyjne> (date of access: 14 february 2024)

29 <https://www.mpsr.sk/en/index.php?navID=27> (date of access: 16 february 2024)

Slovak regional food product. Slovakia currently has 15 regional products registered in the EU system in the food sector.³⁰

In Slovakia, legal issues surrounding the certification of regional products stem primarily from insufficient institutional and organizational support. While potential economic benefits could contribute to the development of local communities, many producers abandon the certification process due to complex procedures and stringent standards imposed by European Union law. An additional challenge is competition from cheaper imported products outside the EU, which reduces demand for certified regional goods, limiting their sales. In their research, Jaďuďová and Rezníček analyzed both theoretical and practical benefits of labeling regional products. Their observations suggest that from a theoretical perspective, this process can increase satisfaction among producers and local communities by improving living standards. Practical benefits include easier access to local labor markets and contributions to regional economic growth, enhancing its appeal and promoting tourism. Improving the support system and simplifying certification procedures could increase producer interest in certification, which in turn could positively affect the development of rural areas in Slovakia.³¹

As part of the Protected Geographical Indication registration procedures, Poland and Slovakia have a common history.

Poland and Slovakia differed in their regulation of the name „oscypek.“ In Poland, oscypek has a protected geographical indication, meaning it can only be produced in specific regions following traditional methods. Slovakia, on the other hand, has a similar cheese called „oštiekok,“ also recognized as an important regional product. The dispute between the countries focused on protecting the names and cultural heritage of these cheeses at the EU level. Poland aimed to safeguard the name „oscypek“ as part of its pastoral culture, while Slovakia defended „oštiekok,“ highlighting its own production traditions. After negotiations, Slovakia withdrew its veto against Poland’s registration of oscypek, on the condition that the name would be used exclusively in Polish.

The issue of the Polish-Slovak dispute regarding the registration of oscypek is presented as a historically significant event, though still one of the most prominent examples of challenges related to regional products. This dispute should be seen as an illustration of broader problems in the certification of regional products from the outset. Legislative challenges surrounding certified regional products in Poland and Slovakia still arise from difficulties in meeting the criteria set by the European Union and the challenges associated with implementing these regulations at the national level. In both countries, regional products protected by certifications such as Protected Designation of Origin (PDO), Protected Geographical Indication (PGI), and Guaranteed Traditional Speciality (GTS) require producers to adhere to strict quality

30 <https://www.normoff.gov.sk/> (date of access: 16 february 2024)

31 JAĎUĎOVÁ, J. – REZNÍČEK, A. The regional labeling as a tool of corporate social responsibility. In *The Innovative Concepts of Corporate Social Responsibility as a Perspective for the Development of Responsible Business in Slovakia*; Hroncová Vicianová, J., Ed.; University of Matej Bel–Belianum: Banská Bystrica, Slovakia, 2019; pp. 14–20.

standards and production methods. Regional producers face limited access to funding for covering certification costs and monitoring compliance with EU regulations.

In Poland, bureaucracy is often cited as a barrier to obtaining certification. The application process is time-consuming and requires detailed documentation of local production methods, which makes it difficult for smaller farms to meet the requirements. At the same time, there is a lack of adequate legal support for small producers, who frequently face challenges in understanding and fulfilling EU requirements.

In Slovakia, legislative challenges are mainly focused on insufficient institutional and organizational support. Although the certification of regional products could bring economic benefits to local communities, in practice, many producers do not apply for certification due to complicated procedures and restrictions resulting from strict EU standards. Additionally, consumers do not receive a clear message. A consumer is unlikely to purchase a product if they are unaware of its existence or if it lacks a label guaranteeing a specific composition and origin. To enhance promotion, it is also essential to improve collaboration between producers and the coordinator responsible for labels, especially in terms of sharing information between the involved parties.³²

The issue also involves competition from non-EU products, which are cheaper, often impacting demand and limiting the sales of certified products. Additionally, both Poland and Slovakia face the challenge of protecting geographical indications from counterfeits and illegal use by producers outside the region. The lack of effective control mechanisms leads to the illegal use of names reserved for certified products, which weakens the credibility of certifications and undermines consumer trust in the authenticity of these products. As part of the ongoing legal challenges related to regional products in Slovakia, issues related to EU requirements and the emphasis on green transformation stand out. Certification regulations often need to be harmonized with EU-wide standards, which can create difficulties, particularly for local producers who must adapt their products to stringent health, safety, and environmental standards. These regulations are complicated and time-consuming to implement, which can affect the competitiveness of local products in the international market, limiting export opportunities, especially to EU countries.

Another challenge is the increasing demands for environmental certification, as Slovakia intensifies its efforts toward sustainable development, including biodiversity protection and the promotion of a circular economy. Slovakia is investing significant resources in environmental protection, which impacts agricultural policies and production requirements. Regional producers must meet new standards, including more eco-friendly production methods and pesticide use.

The legal issues surrounding regional products in Slovakia are thus a result of both local regulations and broader EU laws, which require producers to be flexible and adjust to restrictive standards in order to obtain certifications. While this can

32 JAĎUĎOVÁ, J. – TOMAŠKIN, J. – ŠEVČÍKOVÁ, J. – ANDRÁŠ, P. – DRIMAL, M.. The Importance of Environmental Food Quality Labels for Regional Producers: A Slovak Case Study. In *Foods* 2022, 11(7), <https://www.mdpi.com/2304-8158/11/7/1013> (date of access: 7.11.2024)

improve product quality, it also requires significant investment in new technologies and legal expertise.

Conclusions

The article discusses the growing role of producing, protecting, and promoting high-quality regional products in the European Union, Poland, and Slovakia. The legal frameworks in these countries, along with EU regulations such as Geographical Indications (GI), Protected Designations of Origin (PDO), and Traditional Specialities Guaranteed (TSG), aim to preserve the authenticity and unique character of regional products. This approach enables producers to distinguish their goods on the market, improving recognition and facilitating access to new markets. These regulations support sustainable rural development, generate additional income for farmers, and prevent depopulation, especially in remote areas. Consumers gain access to authentic food with traditional characteristics, contributing to the preservation of culinary heritage and the growth of agritourism. However, challenges remain in harmonizing regulations, effectively protecting against counterfeits, and supporting producers with the costly certification process, necessitating further action at both the national and EU levels.

These systems not only meet market demand but also strengthen regional economies, contributing to their long-term vitality. The EU's Geographical Indications system is an effective mechanism for protecting and promoting regional products; however, its implementation at the national level, both in Poland and Slovakia, encounters challenges. Planned changes in EU regulations aim to simplify certain processes, with notable efforts to enhance online protection for these products. In the EU context, these regulations support the development of local economies by building the value of regional products and protecting them from counterfeits. Yet, in practice, certification procedures in Poland and Slovakia can be complex and expensive, especially burdening smaller producers due to strict documentation requirements and varying interpretations of regulations between the two countries.

The article emphasizes that increasing legal and financial support for producers could expedite certification processes and help better safeguard the authenticity of products. Consequently, improving access to certification could significantly enhance the competitiveness of regional products from Poland and Slovakia in European and global markets, while also contributing to the preservation of local traditions and cultural heritage.

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Summary: Regional Product in the System of EU, Polish and Slovak Law

The article presents an analysis of regulations for the protection of regional and traditional products in the European Union and in the national laws of Poland and Slovakia. It draws attention to the Geographical Indications (GI) system in the EU, which provides legal protection for products with unique characteristics resulting from their geographical origin, such as Protected Designation of Origin (PDO) and Protected Geographical Indication (PGI).

It discusses how these regulations are implemented in Poland and Slovakia, where local regulations must be adapted to EU requirements, sometimes posing a challenge for producers. Some mechanisms are highlighted on the basis of the historical example of the Polish-Slovakian dispute over oscypek. Problems arise from procedural and bureaucratic differences, as well as costs associated with certification. The author discusses how the certification of regional products affects their protection against counterfeiting and their increased recognition on the international market.

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