

PGI – COMMON QUESTIONS AND ANSWERS

1. What are the new definitions of Scotch Beef and Scotch Lamb?

To qualify cattle and sheep have to be born, reared throughout their lives, slaughtered and dressed in Scotland. The animals must be produced and slaughtered in accordance with Quality Assurance schemes accredited to European Standard EN45011 (ISO Guide 65), using the same standards as the Specially Selected Assurance Schemes.

2. When will the new PGI come into force?

The new definition for Scotch Beef was published in the EU Official Journal on 1 July and so comes into effect on 21 July – 20 days from publication. The definition for Scotch Lamb was published on the 23 July and comes into force on the 11 August 2004.

3. How do I know if cattle are born and bred in Scotland?

For animals that have been born since January 2000. if the Ear-tag number starts UK5 then it was born in Scotland. To find out if the animal has always lived in Scotland, the BCMS movement stickers must start 66/ or greater.

4. How do I know if stock I plan to buy have been assured from birth?

The QMS website www.qmscotland.co.uk/members/directory lists a new database which shows the current and, in some cases, the historic status of assured holdings in Scotland.

At first some of the data on the assurance history of individual farms will be incomplete. That means we cannot always tell if animals have been assured from birth. Because of that, animals in that situation will be accepted as eligible for Scotch in the short term, as long as they are born and raised in Scotland, but there can be no exceptions for animals born this year because their history is known. Therefore all stock born from 1 January 2004 must be assured from birth, as well as being born and raised in Scotland, to be eligible for the Scotch label.

Auction marts and abattoirs, as well as farmers, have access to this database and can tell you the assurance status of a holding. Alternatively you can phone SFQC on 0131 335 6602.

5. Why was the PGI definition changed?

- The original PGI for Scotch beef and lamb was requested by SQBLA and awarded by the EU in June 1996..
- The announcement of BSE in 1996 and the greater incidence of BSE in England compared with Scottish suckler herds led to Scottish produce being favoured in some markets and pressure from the farming industry for Scotch beef to be wholly Scottish to give us a marketing advantage.
- In March 2003 the Advertising Standards Authority upheld a complaint that a TV advert for Scotch beef was misleading because it inferred

cattle were born and bred in Scotland when they need only be resident for 90 days before slaughter.

- Newspapers and consumer writers criticised the industry for 'duping' consumers with headlines like "Scotch brand's reputation for quality under threat", "meat ads are mince" and "beef branded illegitimate".
- Consumer research confirmed that consumers believe Scotch is Scottish born and bred. Latest consumer research by Mori in February 2004 showed that for every person that accepted Scotch involved a 90 day qualification, 8 believed it should be born, bred and slaughtered in Scotland;
- Scotch is a powerful brand that sells product. We cannot afford to have people mistrusting it.

6. What is a PGI?

A PGI is a 'Protected Geographical Indication', a status granted by the EU only when a product satisfies strict guidelines requiring a proven link between the traditions and environment of a geographic area and the quality of its product. Good examples of this type of link are Parma ham and Arbroath Smokies.

7. Why is the PGI important?

Four reasons:-

- The new definition matches what consumers expect and so it protects our industry from accusations of 'misleading' consumers.
- Scotch Beef or Lamb often sells for more in a shop or restaurant so some people would like to call beef or lamb Scotch when it is not. Having the PGI definition recorded in law makes this clearly illegal.
- PGIs are also widely recognised in Europe as signifying quality. Having our product designated as a PGI should enhance the industry's opportunities in many markets and open doors for us. For example, several European food fairs take place each year devoted to selling PGI products alone.
- Under EU state aid law, having Scotch Beef and Lamb protected as a PGI also allows government money or levy money to be used to advertise it. This lets QMS spend levy money on advertising Scotch beef and lamb and link them to Scotland. If they were not PGIs we would not be allowed to use levy money to advertise their link with Scotland. Anyone who does not have a PGI hits this problem, including British Meat.

8. How many cattle and sheep will qualify?

Over 90% of the cattle and virtually all of the lamb currently killed in Scotland and eligible for the Scotch label will still be eligible.

9. What if I am a store producer and not yet assured?

If calves and lambs were born on your farm this year, they can still be eligible for Scotch if you are assured when you sell them. Under European rules governing all assurance schemes, what matters is the assurance status of a farm on the day an animal is sold from it.

10. What if an animal has been on a farm holding number that straddles the border?

This is OK as long as the passport shows the Scottish CPH number.

11. What happens if Scotch animals are sold through an English auction market?

As long as the animal only moves through the market it will still be Scotch. If it moves onto an English farm and gets an English number on its passport it will no longer be Scotch.

12. What if a farm loses its assurance status?

Under European rules governing all assurance schemes, what matters is the assurance status of a farm on the day an animal is sold from it. If, on the day of sale, a farm is not assured, then the animal loses its lifetime assurance status.

13. Will stock assured under FABBL be eligible for Scotch?

No because the FABBL scheme does not have the same standards and frequency of assessment as the QMS assurance scheme.

14. Is it necessary to use an assured haulier and assured feed supplier to be eligible for Scotch?

Yes because the existing farm and processor assurance schemes require use of an assured haulier and feed supplier.

15. How can I tell if a lamb has been assured from birth?

You can check the status of the farm it came from. In a few instances where lambs may have been on more than one farm before you bought them, the full history should be available from the eartags or you can check with the seller.

16. How do I know if sheep are born and bred in Scotland?

The six digit eartag number will start with **5**. For example, the sheep will have a flock number like UK**5**43210.

17. What happens to cattle and sheep that are no longer eligible for Scotch?

They can be used for one of the existing labels already used by Scottish processors – British, retailer's own label, company's own label etc. QMS helps companies develop other quality brands and we will continue to do that in future as long as it benefits Scottish levy payers.

18. Can I still buy and finish Scotch and non-Scotch stock on the same holding?

Yes. We want as much beef and lamb to be produced in Scotland as possible. Product which cannot be labelled Scotch can use other existing or new labels. Scotland already finishes and slaughters cattle and sheep that are not branded Scotch.

19. How do I get non Scottish born stock assured in future?

You can still do this through membership of the existing QMS assurance scheme. Most processors using non-Scotch labels will still need the stock to be assured.

20. Who polices the law on PGI?

QMS, through its processor assurance scheme, is responsible for ensuring that any Scotch Beef or Scotch Lamb leaving an abattoir meets the new definition. Once the product has left the abattoir, it will be for local authority Trading Standards Departments to ensure that the revised specification for Scotch Beef and Scotch Lamb is correctly reflected on labels.

Food labelling of Scotch Beef and Lamb must conform with 3 main pieces of legislation

- Council Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs;
- Council Regulation (EC) No 1760/2000 establishing rules governing the labelling of beef and beef products
- The Food Labelling Regulations 1996

Some relevant extracts from this legislation are attached at Appendix A for information. (Anyone wishing to ensure that they meet legal requirements with their own products should consult the full legislation or their lawyer). In practice, legal requirements mean that the labelling of any products involving beef or lamb must avoid misleading the customer and, in particular, should not lead the customer to believe that the product is Scotch if it does not meet the PGI definition of Scotch Beef or Lamb.

21. Can Scotch be used on any products containing beef or lamb without meeting the PGI definition?

Only a Court could give a definitive answer to this but, in general terms, some products where the term 'Scotch' traditionally refers to something more than the meat may be acceptable. For example, 'Scotch Pie' is used to describe a traditional kind of pie made in Scotland, not the meat in the pie. On the other hand, 'Scotch Mince' would probably have to meet the definition of the PGI as the term relates directly to the beef that is used. Other terms that would probably have to adhere to the PGI definition if they are not to run the risk of misleading consumers include:

'Scotch Meat' if this consists solely of beef or lamb.

'Scotch Beefburger' or 'Scotch Roast Beef' since both products consist largely of beef and the name is generally accepted as a description of the beef.

22. Is 'Scottish Beef' or 'Scottish Lamb' covered by the PGI.

Advice from SEERAD suggests that it is, as Scotch and Scottish generally mean the same thing.

23. Can beef or lamb be cut or processed outside Scotland and still called Scotch?

Yes, as long as the animal was slaughtered in an assured Scottish abattoir.

24. Does a butcher need to be a member of the Scotch Butchers Club to sell Scotch beef or lamb?

No. As long as the lamb or beef bought by the butcher has been farm assured from birth, born and raised on a Scottish farm and slaughtered in a Scottish assured abattoir, it can be called Scotch, irrespective of whether the shop is part of the Scotch Butchers Club. QMS, however, hopes as many butchers as possible will join the 500 or so that are currently members of the Scotch Butchers Club as that Club is there to help promote the Scottish livestock industry and its quality products.

Quality Meat Scotland

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LEGISLATION GOVERNING THE USE OF SCOTCH BEEF AND SCOTCH LAMB

Council Regulation (EEC) No. 2081/92 on the protection of geographic indications and designations of origin for agricultural products and foodstuffs states in article 13 that:

Registered names shall be protected against:

- (a) any direct or indirect commercial use of a name registered in respect of products not covered by the registration in so far as those products are comparable to the products registered under that name or insofar as using the name exploits the reputation of the protected name;*
- (b) any misuse, imitation or evocation, even if the true origin of the product is indicated or if the protected name is translated or accompanied by an expression such as 'style', 'type', 'method', 'as produced in', 'imitation', or similar;*
- (c) any other false or misleading indication as to the provenance, origin, nature or essential qualities of the product, on the inner or outer packaging, advertising material or documents relating to the product concerned, and the packing of the product in a container liable to convey a false impression as to its origin;*
- (d) any other practice liable to mislead the public as to the true origin of the product.*

Regulation 1760/2000 regarding labelling of beef and beef products establishes rules governing compulsory and voluntary labelling.

With regard to compulsory labelling Article 13 states:

The label shall contain the following indications:

- A reference number or reference code ensuring the link between the meat and the animal or animals.....*
- The approval number of the slaughterhouse at which the animal or group of animals was slaughtered and the Member State or third country in which the slaughterhouse is established.....*
- The approval number of the cutting hall which performed the cutting operation on the carcass or group of carcasses and the Member State or third country in which the slaughterhouse is established.....*

With regard to voluntary labelling Article 16 states:

- The information to be included on the label;*
- The measures to be taken to ensure the accuracy of the information;*
- The control system which will be applied at all stages of production and sale, including the controls to be carried out by an independent body recognised by the competent authority and designated by the operator*

or the organisation. These bodies shall comply with the criteria set out in European Standard EN/45011;

- *In the case of an organisation, the measures to be taken in relation to any member which fails to comply with the specifications*

.....Specifications which provide for labels containing misleading or insufficiently clear information shall be refused.

.....A Member State may decide that the name of one or more of its regions may not be used, in particular where the name of a region:

- *could give rise to confusion or difficulties in checking;*
- *is reserved for beef in the framework of Regulation (EEC) 2081/92 (on the protection of geographical indications of origin for agricultural products and foodstuffs)*

The Food Labelling Regulations 1996 establish general labelling requirements which require:

... all food to which this Part of these Regulations applies shall be marked or labelled with—

- (a) the name of the food;*
- (b) a list of ingredients;*
- (c) the appropriate durability indication;*
- (d) any special storage conditions or conditions of use;*
- (e) the name or business name and an address or registered office of either or both of—*
 - (i) the manufacturer or packer, or*
 - (ii) a seller established within the European Community;*
- (f) particulars of the place of origin or provenance of the food if failure to give such particulars might mislead a purchaser to a material degree as to the true origin or provenance of the food; and***
- (g) instructions for use if it would be difficult to make appropriate use of the food in the absence of such instructions.*