

Act on the protection of product names as designation of origin, geographical indications or traditional speciality

2014 No 130, 22 December

Entered into force December 31 2014.

If mention is made in this Act of a Minister or Ministry without further specification, this shall be understood to mean the Minister of Fisheries and Agriculture or the Ministry of Industries and Innovation, under whose auspices this Act is administered.

CHAPTER I Scope and definitions

Article 1 Purpose

The purpose of this Act is to protect product names as designation of origin, geographical indications or traditional speciality with a view to promoting consumer protection, increasing product value and preventing unfair commercial practices.

Article 2 Scope

This Act is applicable to names of foodstuffs, wines and spirits and other products, as provided by a ministerial regulation, referring to origin, geographical indication or traditional speciality.

The provisions of this Act also apply to product names of foreign origin granted protection under this Act or on the basis of international agreements.

This Act does not apply to names of drinking water and natural mineral water.

Article 3 Definitions

For the purposes of this Act the following definitions shall apply:

1. *Product* means foodstuffs or other goods falling under the scope of this Act.
2. *Product name* means the name used to specify a product.
3. *Product specification* means the description of a product which forms the bases for a registered product name granted protection under this Act.
4. *Generic name* means the name of a product that has become a common name of the product even though it designates a place or area where the product was originally produced.
5. *Group of producers* means any association irrespective of its legal form, of producers and/or processors or their organisation working with the same product.
6. *Traditional* means created by any act or conduct maintained and transmitted between generations, for a minimum of 30 years.
7. *Foodstuffs* means any kind of substance or product, whether processed, partially processed or unprocessed, intended for human consumption or reasonably expected to be ingested by humans. The term "foodstuffs" also refers to beverages, chewing gum and any substance intentionally added to foodstuffs in the course of their primary production, processing or treatment, as well as food supplements.
8. *Drinking water* means all water in its original state or after treatment, regardless of origin and whether it is supplied from a distribution network, from a tanker, or bottles or other containers and is intended for human consumption or cooking; also water used in any food production, unless it can be demonstrated that the quality of the water does not affect the wholesomeness of the production.

9. *Official control authorities* means the Icelandic Food and Veterinary Authority or the municipal health inspectorates.

10. *Official control* means control, by a regulatory authority, which is meant to ensure that producers that use registered product names produce products which are consistent with their product specifications, pursuant to Article 14.

11. *Natural mineral water* means water from natural mineral springs with cold, carbonated or mineral-rich water.

CHAPTER II Designation of origin, geographical indications and traditional speciality

Article 4 *Protection of designations of origin*

A product name may be protected as a designation of origin, by registration according to this Act, provided that all of the following conditions are fulfilled:

- a. the product originates in a region, a specific place or a country;
- b. the specific qualities or characteristics of the product must essentially or exclusively be attributable to local conditions, including its inherent natural and human factors, and
- c. the production, processing and preparation of the product takes place in the defined geographical area.

Article 5 *Protection of geographical indications*

A product name may be protected as a geographical indication, by registration according to this Act, provided that all of the following conditions are fulfilled:

- a. the product originates in that region or specific place or country;
- b. the product's specific qualities, reputation or other characteristics may to a considerable extent be attributed to that geographical origin;
- c. at least one of the stages of production takes place in the defined geographical area.

Article 6 *Protection granted to registered product names under Articles 4 and 5*

Registered product names according to Articles 4 and 5 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, including when those products are used as raw materials;
- 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, also including when those products are used as raw materials;
- 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.

Where a registered name contains within it more than one name and one of the names is considered generic the use of that generic name shall not be considered to be contrary to (a) or (b) in the first paragraph.

Registered product names shall not become generic names.

Article 7 *Product name not eligible for registration*

A product name is not eligible for registration under Article 4 and 5 where:

- a. the name has become a generic name for a particular product;
- b. it conflicts with the name of a plant variety or an animal breed and as a result is likely to mislead the public;
- c. registration is liable to mislead the consumer as to the true origin of the product because of a pre-existing well-known mark at the time when an application for a protection of the product name is filed. When determining whether an older mark is considered well-known, the reputation and renown of the mark; and, the length of time it has been used, shall be taken into consideration.

Article 8 *Protection of a name of a product as traditional speciality*

A product name shall be eligible for protection where the product:

- a. results from a mode of production, processing or composition corresponding to traditional practice for that product under Article 3, or
- b. is produced from raw materials or ingredients that are those traditionally used.

For a product name to be eligible for protection it shall have been traditionally used to refer to the specific product; or identify the traditional character or specific character of the product.

A name may not be registered if it refers only to claims of a general nature used for a set of products, or to claims provided for by particular legislation.

If it is demonstrated in the opposition procedure under Article 15 that the name is also used for comparable products in another country, also eligible for protection as traditional speciality, the decision on registration may provide that the name of the traditional speciality guaranteed is to be accompanied by the claim ‘made following the tradition of’ immediately followed by the name of a country or a region thereof.

Article 9 *Protection granted to registered names under Article 8*

Registered product names under Article 8 shall be protected against any misuse, imitation or evocation or any other false or misleading practice liable to misguide the consumer.

Article 10 *Homonyms*

A name proposed for registration that is wholly or partially homonymous with a name already entered in the register established under this Act may not be registered unless there is sufficient distinction in practice between the conditions of local and traditional usage, taking into account whether registration is likely to conflict with the already registered name.

CHAPTER III **Application for registration**

Article 11 *Applicant*

Producer groups may lodge applications for the registration of a product name pursuant to Articles 4, 5 or 8.

A natural or legal person may only apply for protection of product names if:

- a. the person is the only existing producer in the defined geographical area,
- b. there are established, long-standing local methods that are only used by the person in question, and
- c. the product originates in a defined area and has characteristics that are essentially different from those of surrounding areas or the characteristics of the product are different from similar products from surrounding areas.

The applicant may only lodge applications for products which the applicant himself produces, processes or prepares.

Article 12 *Application*

Applications for registration of product names shall be submitted in writing to the Icelandic Food and Veterinary Authority.

The application shall include the following:

- a. name and address of the applicant,
- b. the name of the product for which protection is sought,
- c. product specification pursuant to Article 14,
- d. the single document setting out the main aspects of the product specification.

While documents and information may be inadequate it does not prevent an application from being considered filed on the date the application was originally received provided the application is corrected within a reasonable time.

Should the applicant not correct an application within the time limit provided the application will be considered incomplete and inadmissible. If the applicant responds to a notification within the prescribed time limit but the application still remains inadequate it shall not be considered admissible unless the Icelandic Food and Veterinary Authority finds that the applicant should be granted a further time limit for addressing the deficiencies.

Article 13 *Application process*

The Icelandic Food and Veterinary Authority shall review applications received pursuant to Article 12 and scrutinise whether necessary documents have been filed, whether the application is justified and if it complies with the provisions of this Act.

The Icelandic Food and Veterinary Authority shall notify the Icelandic Patent Office and SA-Business Iceland of any applications for registration of product names and provide them with the opportunity to comment. The Icelandic Food and Veterinary Authority is also permitted to consult with other specialists regarding the product in question as applicable.

Further provisions may be made by regulations with respect to the application process for the registration of product names, including guidelines for consultation on matters subject to review and time limits.

Article 14 *Product specification*

Product specification shall include, as applicable:

- a. the name of the product,
- b. a description of the product, raw material and its main physical, chemical, microbiological or organoleptic characteristics of the product;
- c. any specific labelling rule for the product in question;

The product specification for the product name pursuant to Articles 4 and 5 shall include:

- a. definition of the geographical area;
- b. evidence that the product originates in the defined geographical area;
- c. a description of the method of obtaining the product and the authentic and unvarying local methods as well as information concerning packaging and sufficient product-specific justification as to why the packaging must take place in the defined geographical area to safeguard quality or to ensure the origin or to ensure control;
- d. details establishing the link between the quality or characteristics of the product and the geographical environment, where appropriate; or the link between a given quality, the reputation or other characteristics of the agricultural product or foodstuffs and the geographical environment.

The product specification for the product name pursuant to Article 8 shall include:

- a. description of the product's traditional character;
- b. information on the traditional mode of production, processing or composition of a product;

- c. information on the traditional origin of raw materials or ingredients used for the production, processing or composition of a product;
- d. how the ingredients are used according to tradition.

Article 15 *Statement of objection to applications for the registration of product names*

If the conditions for registration are fulfilled, the Icelandic Food and Veterinary Authority shall make public the name of the product and the product specification for which registration is sought.

Statements of objection to product names and product specifications published according to paragraph 1 can be made within a period of two months from the publication date. Statements of objections shall be filed in writing to the Icelandic Food and Veterinary Authority.

Statements of objection shall be upheld and the application refused if they show that:

- a. the conditions laid down in this Act are not fulfilled,
- b. the proposed registration will wholly or partly impinge upon intellectual property rights granted by law, or
- c. the product name is a generic name.

Article 16 *Decision*

The Icelandic Food and Veterinary Authority shall take a decision on the registration of a product name within three months of the date on which the opposition period pursuant to Article 15 expires.

The Icelandic Food and Veterinary Authority shall publish its decision on the registration of a product name and a product specification by way of a public notice in Section B of the Government Gazette of Iceland.

A decision on the registration of a product name shall otherwise be made in accordance with the provisions of the Administrative Procedures Act.

The Ministry shall maintain and publish updated the register of product names which have been registered according to the provisions of this Act.

Article 17 *The use of a registered product name*

The use of a registered product name is only allowed when the product conforms with the product specification published in Section B of the Government Gazette of Iceland.

When marketing a product with a name protected according to this Act the registered name may be used on the labelling of the product along with a special official symbol with the terms „DESIGNATION OF ORIGIN“, „GEOGRAPHICAL INDICATION“ or „TRADITIONAL SPECIALITY“ in Icelandic or translated into a foreign language, or abbreviated, as the case may be.

In the case of foreign names protected under this Act on the basis of an international agreement, the symbol referred to in paragraphs 1 and 2 may be used, provided that it has been negotiated in the said agreement.

The Minister shall by regulation lay down the rules on the design and use of the symbol referred to in paragraph 2.

Article 18 *Priority*

If there are two applications for protection for the same product name at almost the same time the application first received shall have priority.

Article 19 *Changes to product specifications*

The original applicant or a group of producers satisfying the conditions of Article 11 and having a legitimate interest may apply for an amendment to a product specification registered according to this Chapter.

Applications for approval of an amendment to a product specification are subject to the provisions of this Chapter, as applicable. If a legal or natural person having legitimate interest and who is a producer or processor of the product in question, objects to the amendment, the Icelandic Food and Veterinary Authority shall only acknowledge amendment to a product specification if an agreement has been reached with the party lodging an objection or if the Food and Veterinary Authority considers that the objection hinders natural development of a product and taking into account Article 15.

Amendment to a product specification shall be published by way of a public notice in Section B of the Government Gazette of Iceland.

Article 20 *Notice of use*

Any producer who produces a product in conformity with the product specification and the meets the conditions laid down in this Act shall be authorised to use the corresponding registered product name.

The Icelandic Food and Veterinary Authority should be informed by a written notice that the use of a registered product name has begun.

Article 21 *Fees*

The processing of applications is subject to payment of a fee of ISK 75 000 by the applicant.

Applications for amendments to a product specification are subject to payment of a fee of ISK 50 000.

Article 22 *Cancellation*

If a product name has been registered in contravention of the provisions of this Act, the Icelandic Food and Veterinary Authority may take a decision to cancel a registration.

A registration of a product name may also be cancelled by a decision by the Icelandic Food and Veterinary Authority if:

- a. the product does not conform to the product specification pursuant to Article 14;
- b. the product has not been marketed under a registered name for seven years.

Anyone having a legitimate interest may request that the Icelandic Food and Veterinary Authority cancel a registration of a product name in case of non-compliance with the provisions of this Act. Such request shall be filed in writing accompanied by a justification.

Users of the registered name shall be informed about the request for cancellation and be provided with the opportunity to comment within a period of two months.

Should the Icelandic Food and Veterinary Authority cancel a registration of a product name the institution shall make its decision public by way of a public notice in in Section B of the Government Gazette of Iceland.

CHAPTER IV Relations with trademarks

Article 23 *Relations with newer trademarks and collective marks*

Where a registered product name already exists, the registration of a trade mark or a collective mark, for a product of the same or similar type, shall be refused if the use of such a mark would contravene Article 6 and the application for registration of the mark is submitted after the date of submission of the registration application for a product name.

Article 24 *Relations with older trademarks and collective marks*

If a mark has been registered or the right to a mark has been established by use before the date on which an application for the registration of a product name in this country was submitted, and it is likely that the co-existence of a mark and product name will lead to confusion, the mark may only continue to be used and renewed if the right to the mark was established in good faith and there are no grounds for the cancellation or a revocation of that right.

The Minister may by regulation provide further on the implementation of the provision.

CHAPTER V Protection of product names of foreign origin

Article 25 *Foreign terms*

A product name which originates in a foreign country may be protected under this Act, provided the name is protected in the country of origin and is subject to control in that country. Documentation to this effect shall accompany the application for registration of such a product name. The application shall be filed in writing to the Icelandic Food and Veterinary Authority. If additional documents are provided in a foreign language they shall be accompanied by a translation into Icelandic.

Article 26 *International agreements*

Foreign product names registered in a country of origin with an indication of origin or a geographical indication are also protected in this country on the basis of an international reciprocity agreement.

Before a foreign name is offered protection under such international agreement, the Icelandic Food and Veterinary Authority shall make public a list of names which are to receive protection with information as to where product specifications or a comparable document may be obtained. The objection procedure shall be set out in the relevant international agreement, including the admissible grounds for objections.

CHAPTER VI Protection of geographical indications for wine and spirits

Article 27 *Geographical indications*

The Minister may by regulation lay down provisions on the protection of geographical indications for wines and spirits.

The regulation shall lay down provisions on the conditions for protection, on protected product names, which product names are not eligible for protection, what the protection includes, registration, cancellation of a registration, homonymous names, the limitations of protection with regard to trademark rights, control procedures and other issues related to labelling.

Article 28 *Control arrangements*

Control arrangements as regards the use of geographical indications for wines and spirits are subject to the provisions of Chapter VII.

CHAPTER VII Control arrangements

Article 29 *Controls by the Food and Veterinary Authority and municipal health inspectorates*

The Icelandic Food and Veterinary Authority and the municipal health inspectorates are responsible for controls of the use of registered product names for foodstuffs in accordance with Articles 6 and 22

of Act No. 93/1995 on Foodstuffs. The municipal health inspectorates shall also control the use of registered product names for other products falling under the scope of this Act.

The controls entail examination as to whether the producer of a product using a registered product name meets the requirements of this Act and as to the product being produced or obtained in accordance with the product specification. The Icelandic Food and Veterinary Authority shall harmonise controls in respect of registered product names in order to ensure that they are carried out uniformly in the country.

Should both the Icelandic Food and Veterinary Authority and municipal health inspectorates have control obligations with respect to the same producer of a product, the Minister shall decide which authority is responsible for the control.

The Icelandic Food and Veterinary Authority sets out the working relationship between the parties involved and shall in such instances focus in particular on efficient control and avoiding duplication and overlap to the extent possible. The Authority shall also closely cooperate with health inspectorates and health representatives and provide expertise and services as regards control in respect of registered product names to the extent possible and as needed. Furthermore the Authority shall aim at harmonising the requirements for control-related activities and ensure that such requirements are applied. In order to promote the achievement of this objective the Authority publishes instructions and implementation guidelines with which municipal health inspectorates shall comply.

Article 30 *Transfer of control*

Under this Act official control authorities may delegate amongst themselves specific tasks pertaining to their area of expertise. Delegation of specific tasks may extend to decisions concerning charges to cover control costs pursuant to Article 32, sanctions pursuant to Article 33 and, non-criminal fines pursuant to Article 34.

The Minister shall by regulation lay down more detailed provisions on the transfer of control tasks.

Official control authorities may transfer specific control tasks to other bodies, accredited in accordance with the Accreditation Act, which are necessary for the implementation of control under this Act. A specific agreement to that effect shall be concluded in each case.

The accredited bodies shall perform their controls under the auspices of an official control authority, which monitors their activities and verifies their adequate performance of their duties, in which case they shall report to the Authority on the use of registered product names in the manner it decides.

Should the accredited bodies generally fail to perform their duties in accordance with an agreement made with the official control authority, neglect their reporting requirement or provide false information, the Authority issues a formal warning or, in the case of serious violations, terminates the agreement.

The Minister shall by way of regulation lay down more detailed provisions as regards the conditions relating to and the tasks of the accredited bodies according to this Act, as well as to the drawing up of contracts.

Article 31 *Duty to provide information*

A user of a registered product name is obliged to provide, free of charge to bodies responsible for control activities according to this Act, any information or specimens deemed necessary for the implementation of the control. Unrestricted access to production or distribution premises for control purposes is also obligatory.

Control authorities are bound by professional secrecy with regard to any information concerning production, commercial or business secrets, which may come to their knowledge during implementation of the control.

Article 32 *Control Fees*

A producer authorised to use a registered product name shall pay fees for controls performed pursuant to this Act not exceeding the actual costs of performing the following cost components of the control:

- a. remuneration of the personnel performing control-related tasks;
- b. other staff-related costs, including costs on account of facilities, tools, equipment, training, travel and related expenses;
- c. cost related to laboratory analysis and sampling.

The official control authority conducts additional control including product checks when a particular activity of a producer or a production of a product is not considered in compliance with the registered product description according to Article 14. The producer shall bear the actual costs of additional control.

The Minister may by way of regulation set rules on the implementing and main features of the controls by official control authorities and issues a list of tariffs for the Icelandic Food and Veterinary Authority on a recommendation by the Authority. Similarly, local governments shall issue a list of tariffs for activities by health inspectorates subject to monitoring on account of the controls.

Control fees are paid according to an invoice submitted by an official control authority.

Control fees may be obtained through levy of execution without prior judicial decision or settlement. Official control authorities may levy late-payment interests on unpaid claims that have arisen on account of control activities from the maturity date up to the settlement date.

The provisions of this Article also apply as appropriate as regards control fees charged by an official control authority for control tasks delegated to an accredited body pursuant to Article 30.

CHAPTER VIII Sanctions, Penalties etc.

Article 33 *Administrative sanctions*

The Food and Veterinary Authority and municipal health inspectorates are authorised to issue orders to stop or limit production and marketing of products where there are serious grounds to believe that a product is not being produced in accordance with the provisions of this Act or regulations enacted by virtue of this Act.

In addition, in order to ensure compliance with this Act, regulations or their own orders, the Food and Veterinary Authority and the municipal health inspectorates may also take the following measures:

- a. issue a warning,
- b. issue a warning with appropriate time to take corrective measures.

Suspension of production shall only be applied in serious instances or in cases of consistent violations or if the producer does not take corrective measures within the given time limit, and may be carried out with the assistance of the police if needed.

Article 34 *Non-criminal fines*

The Food and Veterinary Authority and the municipal health inspectorates can issue non-criminal fines addressed to producers that violate provisions regarding:

- a. authorisation to use a registered product name or symbol pursuant to Article 17, without complying with the product specification pursuant to Article 14;
- b. authorisation to use a registered product name or symbol pursuant to Article 17 without prior notification to the Icelandic Food and Veterinary Authority, pursuant to Article 20.

Fines imposed on natural persons may range in amount from ISK 10 000 to ISK 1 000 000 and fines imposed on legal persons may range in amount from ISK 20 000 to ISK 2 000 000.

The Minister may, by way of regulation, set the amounts for non-criminal fines for violations of individual provisions of this Act, within the limits of paragraph 2.

If the amounts of the fines have not been set for each violation by way of regulation, the determination of the appropriate fine shall *inter alia* take account of the seriousness of the violation, its duration, the violating party's willingness to co-operate and whether the violation is repeated. In addition, it should be taken into account whether the violation was carried out for the benefit of the producer. The maturity date of non-criminal fines shall be 30 days following the date when the fine was applied by decision. If the non-criminal fine has not been paid within 15 days from the maturity date, the amount due shall be subject to a post-maturity rate of interest. The decisions of the Food and Veterinary Authority and the municipal health inspectorates are enforceable and the collected fines shall accrue to the State Treasury, net of collecting costs. The determination and calculation of post-maturity interest is subject to statutory law on interest and price-level indexation.

Non-criminal fines shall be imposed irrespective of whether the infringement was committed with intent or through negligence.

The party to which the fine has been issued can only refer the decision to the courts. The period of limitation is 3 months from the time the decision was made. Such referral of a decision shall postpone enforcement.

The authority conferred upon the Food and Veterinary Authority and the municipal health inspectorates to issue non-criminal fines lapses once 5 years have passed since the conduct ended. The period of limitation is interrupted when the Food and Veterinary Authority and the municipal health inspectorates inform the producer of the commencement of investigation of an alleged infringement. The interruption of the period of limitation has legal effects for all those who were involved in the infringement.

Should a party have been found to have violated the provisions of this Act the control authority can close the case by way of a settlement with the consent of the party concerned, unless in cases of serious violations where criminal sanctions apply. Such settlement is binding on the party concerned when he has accepted and confirmed the content by signature.

Article 35 *Criminal sanctions*

Anyone who has violated the following provisions shall be subject to punishment by a fine or imprisonment for of up to six months, unless a more severe punishment is prescribed elsewhere in legislation:

- a. provisions regarding authorisation to use a registered product name or symbol pursuant to Article 17, without complying with the product specification pursuant to Article 14;
- b. provisions regarding authorisation to use a registered product name or symbol pursuant to Article 17, without prior notification to the Icelandic Food and Veterinary Authority, pursuant to Article 20.

Infringements of paragraph 1 are punishable by fines or imprisonment if committed intentionally or through negligence. A legal person may be fined according to Chapter II A of the General Penal Code for infringement specified in paragraph 1 of this Article.

Attempted infringement or complicity in infringement pursuant to this Act is punishable as provided for in the General Penal Code.

Article 36 *Procedure*

Any infringement of this Act shall only be investigated as a criminal matter if the Icelandic Food and Veterinary Authority has filed a complaint with the police.

Should an alleged infringement be punishable both with a non-criminal fine and punishment the Food and Veterinary Authority decides if a complaint is filed with the police or whether the case be closed by an administrative decision of the Authority. In the case of a serious infringement a complaint shall be filed with the police by the Food and Veterinary Authority. An infringement is considered serious if an act of particularly gross misconduct has been committed or if the circumstances are aggravating. Furthermore, the Food and Veterinary Authority can at any stage decide to file a complaint regarding an infringement of this Act, with the police for investigation.

A complaint by the Icelandic Food and Veterinary Authority shall be accompanied with copies of the documentation substantiating the complaint. A decision by the Icelandic Food and Veterinary Authority to file a complaint with the police is not subject to the provisions of Chapter IV-VII of the Administrative Procedures Act.

The Icelandic Food and Veterinary Authority may provide the police and the prosecution authority with any information and material the Food and Veterinary Authority has collected and which relate to the infringements specified in paragraph 2. The Icelandic Food and Veterinary Authority shall be authorised to take part in operations of the police which concern the investigation of the infringements specified in paragraph 2.

The police and the prosecution authority may provide the Icelandic Food and Veterinary Authority with any information and material these authorities may collect and relate to the infringements specified in paragraph 2. The police shall be authorised to take part in operations of the Icelandic Food and Veterinary Authority which concern the investigation of the infringements specified in paragraph 2.

Should the prosecutor decide that the case does not constitute a basis for commencing legal proceedings because of alleged criminal conduct, which may also be subject to non-criminal fines, he may send or resend the case to the Icelandic Food and Veterinary Authority for further processing and deliberation.

Article 37 *Injunction*

Applying for an injunction is possible with respect to an act which has commenced or is demonstrably imminent and violates or would violate the provisions of this Act.

Article 38 *Liability*

Anyone who purposely or with gross negligence commits a breach against this Act and uses a registered product name unlawfully is liable for any damage resulting from that. As regards assessment of culpability and establishing causation, the general rules of tort law shall apply.

Article 39 *Measures to hinder the misuse of registered product names*

In criminal cases arising due to infringements of the provisions of this Act a Court may decide that measures should be taken to prevent abuse of product names registered by virtue of this Act. To this end a Court may decide that the registered product name shall be removed from products in possession of the party concerned or otherwise at this party's disposal.

If necessary a decision may be taken to destroy products or deliver them to the aggrieved party with or without compensation.

CHAPTER IX **Miscellaneous provisions**

Article 40 *Regulation*

The Minister may inter alia by way of regulation lay down more detailed provisions on the execution of the provisions of this Act

1. Regulation as regards products pursuant to Article 2.
2. Regulation on the application procedure for the registration of product names pursuant to Article 13.
3. Regulation on the design and use of the symbol for registered product names, pursuant to Article 17.
4. Regulation on the relationship between older trademarks and collective mark; and product names, pursuant to Article 24.
5. Protection of geographical indications for wine and spirits, pursuant to Article 27.
6. Regulation on the conditions relating to and the tasks of the accredited bodies, pursuant to Article 30.
7. Regulation on the implementation and main features of the controls by official control authorities and list of tariffs, pursuant to Article 32.

Article 41 *Entry into force*

This Act shall enter into force forthwith.

Article 42 *Amendments to other acts.*

...