



2025/1291

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COMMISSION IMPLEMENTING REGULATION (EU) 2025/1291

of 2 July 2025

**on the registration of the designation of origin ‘TOKAJSKÉ VÍNO zo slovenskej oblasti’ in the Union
register of geographical indications**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 99(2) thereof,

Whereas:

- (1) Pursuant to Article 90(1) and (2) of Regulation (EU) 2024/1143 of the European Parliament and of the Council ⁽²⁾, which amends Regulation (EU) No 1308/2013, the latter Regulation remains applicable to applications for registration of geographical indications for wine received by the Commission and published in the *Official Journal of the European Union* before 13 May 2024. An application for registration of the designation of origin (PDO) ‘TOKAJSKÉ VÍNO zo slovenskej oblasti’, submitted by Slovakia, was received by the Commission on 19 July 2022.
- (2) Pursuant to Article 97(4) of Regulation (EU) No 1308/2013, Slovakia’s application for registration of the designation of origin ‘TOKAJSKÉ VÍNO zo slovenskej oblasti’ was published in the *Official Journal of the European Union* on 23 October 2023 ⁽³⁾.
- (3) On 19 January 2024, the Commission received a reasoned statement of objection from Hungary. After determining its admissibility, the Commission, on 29 February 2024, invited Hungary and Slovakia to engage in appropriate consultations to reach an agreement, as provided for in Article 98(2) of Regulation (EU) No 1308/2013.
- (4) Hungary requested an extension of the consultations on 29 May 2024. However, since that request was not submitted by Slovakia, it did not meet the condition set out in Article 98(2), last sentence, of Regulation (EU) 1308/2013. Consequently, the consultations were not extended. The consultations concluded without an agreement between Hungary and Slovakia. Therefore, the Commission is to take a decision in accordance with Article 99(2) of Regulation (EU) No 1308/2013, taking into account the results of the consultations.
- (5) In its reasoned statement of objection and during the consultations with Slovakia, Hungary contended that the name ‘TOKAJSKÉ VÍNO zo slovenskej oblasti’ was not to be registered because it was partially homonymous with the name ‘Tokaj/Tokaji’ listed in the Union register of geographical indications for Hungary. Hungary argued that the registration of the proposed name was therefore in conflict with Article 100 of Regulation (EU) No 1308/2013. In addition, Hungary argued that emphasising the component ‘TOKAJSKÉ VÍNO’ in the name ‘TOKAJSKÉ VÍNO zo slovenskej oblasti’ by using capital letters might mislead consumers by giving the impression that the products it designates meet the same stringent standards that apply to wines produced as Hungarian ‘Tokaj/Tokaji’.

⁽¹⁾ OJ L 347, 20.12.2013, p. 671, ELI: <http://data.europa.eu/eli/reg/2013/1308/oj>.

⁽²⁾ Regulation (EU) 2024/1143 of the European Parliament and of the Council of 11 April 2024 on geographical indications for wine, spirit drinks and agricultural products, as well as traditional specialties guaranteed and optional quality terms for agricultural products, amending Regulations (EU) No 1308/2013, (EU) 2019/787 and (EU) 2019/1753 and repealing Regulation (EU) No 1151/2012 (OJ L, 2024/1143, 23.4.2024, ELI: <http://data.europa.eu/eli/reg/2024/1143/oj>).

⁽³⁾ OJ C, C/2023/385, 23.10.2023, ELI: <http://data.europa.eu/eli/C/2023/385/oj>.

- (6) Hungary also questioned the territorial validity of 'TOKAJSKÉ VÍNO zo slovenskej oblasti', arguing that the geographical area of this indication did not correspond to the historically defined Tokaj region, and thus the historical background and traditions that are shared between Hungary and Slovakia for Tokaj wine had been neglected by the Slovak counterparts. Hungary noted that, out of seven municipalities included in the demarcated geographical area of the indication 'TOKAJSKÉ VÍNO zo slovenskej oblasti', only Malá Trňa and Viničky historically belonged to the Tokaj region defined by Austro-Hungarian legislation in force between 1908 and 1924.
- (7) Furthermore, Hungary claimed that it was easier to produce 'TOKAJSKÉ VÍNO zo slovenskej oblasti' than 'Tokaj/Tokaji', placing the latter at a competitive disadvantage. To that end, Hungary noted that the product specification of the PDO 'Tokaj/Tokaji' required stricter standards and higher quality compared to the product specification of 'TOKAJSKÉ VÍNO zo slovenskej oblasti'. This concerned, in particular, the production of natural sweet wines or yield limits. The product specification of the wines under the Slovak name also allowed the production of more types of wine and more categories of grapevine products than were allowed by the product specification of Hungarian 'Tokaj/Tokaji'. In this context, Hungary insisted that a product registered under the same name could not be produced in two distinct ways.
- (8) Finally, Hungary highlighted Slovakia's existing PDO 'Vinohradnícka oblasť Tokaj' that covered a nearly identical wine production with the one in the application for registration of the designation of origin 'TOKAJSKÉ VÍNO zo slovenskej oblasti'. Hungary stated that it would not object to the registration of the designation of origin 'TOKAJSKÉ VÍNO zo slovenskej oblasti' if Slovakia cancelled the existing PDO 'Vinohradnícka oblasť Tokaj'.
- (9) The Commission assessed the arguments provided in the reasoned statement of objection from Hungary in the light of Regulation (EU) No 1308/2013, taking into account the information it had received regarding the consultations carried out between the interested parties.
- (10) Before considering Hungary's arguments raised in the objection, the Commission took note that Slovakia had registered the name 'TOKAJSKÉ VÍNO zo slovenskej oblasti' as appellation of origin AO-45 on 22 November 1967 ⁽⁴⁾ in the International System of Appellations of Origin and Geographical Indications under the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (Lisbon Agreement) ⁽⁵⁾.
- (11) The rules for the transition from the Lisbon Agreement to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications (Geneva Act) ⁽⁶⁾, are set forth in Regulation (EU) 2019/1753 of the European Parliament and of the Council ⁽⁷⁾. In accordance with Article 11(2) of Regulation (EU) 2019/1753 in respect of appellations of origin not protected under the Union system, Member States that are party to the Lisbon Agreement and acceded to the Geneva Act (such as Slovakia) have a choice. They may either choose to request the registration of the appellation of origin under the Union system and subsequently the registration under the Geneva Act, or they may request the cancellation of the registration of the appellation of origin in the International Register ⁽⁸⁾.

⁽⁴⁾ https://lisbon-express.wipo.int/pdf/CRTINF_6376_Current%20information%20-%20AO-45.pdf. Originally the name was registered under the Lisbon Agreement as 'TOKAJSKÉ VÍNO z československej oblasti', but after the dissolution of Czechoslovakia, it was changed to 'TOKAJSKÉ VÍNO zo slovenskej oblasti'.

⁽⁵⁾ <https://www.wipo.int/wipolex/en/text/285856>.

⁽⁶⁾ OJ L 271, 24.10.2019, p. 15, ELI: http://data.europa.eu/eli/agree_internation/2019/1754/oj.

⁽⁷⁾ Regulation (EU) 2019/1753 of the European Parliament and of the Council of 23 October 2019 on the action of the Union following its accession to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications (OJ L 271, 24.10.2019, p. 1, ELI: <http://data.europa.eu/eli/reg/2019/1753/oj>).

⁽⁸⁾ Both Hungary and Slovakia have already registered under the Geneva Act other appellations of origin concerning Tokaj: Hungary - AO-527 'Tokaj', see https://lisbon-express.wipo.int/pdf/CRTINF_6858_Current%20information%20-%20AO-527.pdf, and Slovakia - AO-1230 'Vinohradnícka oblasť Tokaj', see https://lisbon-express.wipo.int/pdf/CRTINF_25456_Current%20information%20-%20AO-1230.pdf.

- (12) Pursuant to Article 3 of Council Decision (EU) 2019/1754 ⁽⁹⁾, Member States that were parties to the Lisbon Agreement on 26 February 2020 (such as Slovakia) are authorised to ratify or accede to the Geneva Act strictly to the extent that their accession is necessary to preserve, in the interest of the Union, the seniority and continuity of the protection of the appellations of origin already registered by those Member States under the Lisbon Agreement and to comply with the obligations provided for by Article 11 of Regulation (EU) 2019/1753.
- (13) Therefore, pursuant to Article 11(2) of Regulation (EU) 2019/1753, the application for registration of 'TOKAJSKÉ VÍNO zo slovenskej oblasti' in the Union system is a prerequisite for the international registration of the appellation of origin AO-45 'TOKAJSKÉ VÍNO zo slovenskej oblasti' under the Geneva Act and the preservation of the related priority rights. In the absence of a registration in the Union system of 'TOKAJSKÉ VÍNO zo slovenskej oblasti', Slovakia would not be authorised to register the appellation of origin AO-45 'TOKAJSKÉ VÍNO zo slovenskej oblasti' under the Geneva Act and would lose the protection of the appellation of origin under the Lisbon Agreement.
- (14) As regards Hungary's argument concerning homonymy, the Commission considers that 'TOKAJSKÉ VÍNO zo slovenskej oblasti' is indeed partially homonymous with the Hungarian PDO 'Tokaj/Tokaji'. In such situations, in accordance with Article 100(1) of Regulation (EU) No 1308/2013, local and traditional usage and any risk of confusion are to be considered. As regards the latter risk of confusion, in particular, a homonymous name is not to mislead consumers into believing that products come from another territory.
- (15) With regard to local and traditional usage, both Hungary and Slovakia assert that the viticultural traditions of the Tokaj region have been preserved for centuries. This region is located in northeastern Hungary and southeastern Slovakia, with both Hungary and Slovakia producing Tokaj wines and safeguarding the protection of related wine names. Slovakia indicated that 'TOKAJSKÉ VÍNO zo slovenskej oblasti' is a name for Tokaj wine, which is traditionally used in Slovakia in connection with the corresponding geographical area demarcated by Slovakia. This statement on the use of the word 'Tokaj' for a Slovak wine is supported by the existence of Slovak legislation on Tokaj wine since 1959 and by the protection of the name 'TOKAJSKÉ VÍNO zo slovenskej oblasti' under the Lisbon Agreement since 1967.
- (16) With regard to the risk of confusion, first, the name refers to the true origin of the product, i.e. the Tokaj region, a part of which is in Slovakia and another part in Hungary, and the name has been traditionally used in both parts of the cross-border Tokaj region. The Commission is not aware that those circumstances have led to confusion on the part of consumers. On the contrary, the long history of wines with the name 'Tokaj' in both countries is known to consumers. The co-existence on the market of Hungarian and Slovak Tokaj wines and their growing reputation led both Hungary and Slovakia to seek protection of the related wine names. It resulted in 2006 in the registration as PDOs of two names referring to the Tokaj region, i.e. 'Tokaj/Tokaji' for Hungary and 'Vinohradnícka oblasť Tokaj' for Slovakia. These PDOs have coexisted for the same cross-border wine region, without causing confusion ⁽¹⁰⁾. There is no reason to believe that the current request to register another Slovak PDO containing the name 'Tokaj' will lead to a risk of confusion with the Hungarian name.
- (17) Second, the names of the Hungarian wine and of the Slovak wine are not identical. The names are only partially homonymous. In the Slovak language 'TOKAJSKÉ VÍNO zo slovenskej oblasti' is a compound name, where reference to 'Tokaj' is made by means of an adjective ('TOKAJSKÉ').

⁽⁹⁾ Council Decision (EU) 2019/1754 of 7 October 2019 on the accession of the European Union to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications (OJ L 271, 24.10.2019, p. 12, ELI: <http://data.europa.eu/eli/dec/2019/1754/oj>).

⁽¹⁰⁾ Similarly, in the agricultural products sector, there are other examples of co-existence of geographical indications designating similar products and referring to geographical areas which are split between Member States, e.g., 'Steirisches Kürbiskernöl' (PGI) from Austria and 'Štajersko Prekmursko Bučno Olje' (PGI) from Slovenia or 'Jambon d'Ardenne' (PGI) from Belgium and 'Jambon sec des Ardennes / Noix de Jambon sec des Ardennes' (PGI) from France.

- (18) Third, the Slovak name contains a geographical component 'zo slovenskej oblasti' ('from the Slovak area'), which clearly indicates the country of origin and reduces further the risk of confusion. As explained by Slovakia, this geographical component was used already at the time of the registration of the appellation of origin AO-45 'TOKAJSKÉ VÍNO zo slovenskej oblasti' under the Lisbon Agreement with the aim of clearly distinguishing between the Hungarian and Slovak appellations of origin.
- (19) Fourth, Article 119(1), point (d), of Regulation (EU) No 1308/2013 requires that labelling and presentation of wine in the Union contain an indication of provenance. This, in practical terms, means that information on the country of origin of wine is obligatory. Wine labels thus state usually 'wine of ...', 'wine from ...', 'produced in ...' or 'product of ...'. This provides additional clarity as to the origin of wine and further distinguishes between Tokaj wines produced in Hungary on the one hand and Slovakia on the other hand.
- (20) Fifth, as regards the emphasis on the Tokaj region through the use of capital letters questioned by Hungary, Slovakia explained that the capital letters used in the name submitted for registration under the Union system were needed to ensure the alignment of the name to be registered under the Geneva Act with the name already registered under the Lisbon Agreement. In any event, based on the elements allowing to distinguish between Hungarian and Slovak Tokaj, as explained in recitals 16, 17, 18 and 19, the use of capital letters in the name 'TOKAJSKÉ VÍNO zo slovenskej oblasti' is not considered as prone to increase the risk of confusion.
- (21) On the basis of all those elements, the Commission considers that, having regard to local and traditional usage and to the lack of any risk of confusion, in particular because consumers are not misled into believing that products come from another territory, the partial homonymity does not prevent the registration of the name 'TOKAJSKÉ VÍNO zo slovenskej oblasti'.
- (22) As regards Hungary's argument that the geographical area of 'TOKAJSKÉ VÍNO zo slovenskej oblasti' does not correspond to the historically defined Tokaj region, the Commission notes that, while Hungarian and Slovak Tokaj wines share a viticultural history, production of Tokaj wines now takes place in two distinct geographical areas in two Member States. The geographical area of 'TOKAJSKÉ VÍNO zo slovenskej oblasti' includes seven Slovak municipalities. This area was formally established by Slovakia in 1959 in its national legislation as the area of production of Slovak Tokaj wines. Wine regions may evolve over time and their territorial limits may shift compared to how they were centuries ago, without however questioning the authenticity of the place of origin.
- (23) Slovakia demonstrated compliance with the conditions laid down in Regulation (EU) No 1308/2013, including with the notion of 'designation of origin' defined in Article 93(1), point (a), of Regulation (EU) No 1308/2013. In particular, Slovakia demonstrated the link between the product and the geographical environment with its inherent natural and human factors. Slovakia also indicated that that geographical area and the production method of Slovak Tokaj wine have been regulated in Slovakia since 1959. A mere reference by Hungary to a historical delimitation reflected in a law in force in the Austro-Hungarian Empire in 1908 cannot be considered as providing enough grounds to challenge the demarcation of the area by Slovakia or the link between that area and the characteristics of the Slovak Tokaj wine. The Commission therefore rejects Hungary's questioning of the territorial validity of 'TOKAJSKÉ VÍNO zo slovenskej oblasti' and calling for the alignment of the demarcated geographical area covered by 'TOKAJSKÉ VÍNO zo slovenskej oblasti' with the geographical area of Tokaj reflected in a law in force in the Austro-Hungarian Empire in 1908.
- (24) As regards Hungary's assertion that the more demanding and stricter requirements for the product specification of Hungarian 'Tokaj/Tokaji', when compared to the product specifications of Slovak 'TOKAJSKÉ VÍNO zo slovenskej oblasti', put Hungarian producers at a competitive disadvantage, the Commission takes the view that 'Tokaj/Tokaji' and 'TOKAJSKÉ VÍNO zo slovenskej oblasti' are distinct names and are related to distinct product specifications. For the purpose of the present application for registration, Slovakia is not required to comply with the Hungarian product specification of 'Tokaj/Tokaji'. Equally, Hungary is not required to align its rules with the Slovak product specification of 'Vinohradnícka oblasť Tokaj' or of 'TOKAJSKÉ VÍNO zo slovenskej oblasti' and is free to set up and maintain its own requirements for 'Tokaj/Tokaji' wine. There is no requirement in Regulation (EU) No 1308/2013 that partially homonymous names are to share the same product specification. In the absence of any risk of

confusion between the Slovak and the Hungarian PDOs, the possibly different standards do not affect the assessment under Article 100 of Regulation (EU) No 1308/2013. It is therefore groundless to raise an issue of competitive disadvantage as a result of stricter requirements of the product specification of a specific PDO compared to the product specification of another PDO. In conclusion, Hungary's claim of a competitive disadvantage due to stricter production requirements should be rejected.

- (25) As regards Hungary's statement that it would not object to the registration of the designation of origin 'TOKAJSKÉ VÍNO zo slovenskej oblasti' if Slovakia cancelled the existing designation of origin 'Vinohradnícka oblasť Tokaj', the Commission takes the view that it is for Slovakia to decide on the appropriate course of action. Slovakia confirmed that the PDO 'Vinohradnícka oblasť Tokaj' was in use and that it did not intend to cancel it. In the Commission's view, the registration of 'TOKAJSKÉ VÍNO zo slovenskej oblasti' (PDO) does not depend on the cancellation of 'Vinohradnícka oblasť Tokaj' (PDO), the use and protection of which Slovakia wishes to maintain, as those are two different names.
- (26) In conclusion, none of the arguments raised by Hungary gives grounds for the rejection of the application for registration. Accordingly, the designation of origin 'TOKAJSKÉ VÍNO zo slovenskej oblasti' should be entered in the Union register of geographical indications.
- (27) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

The designation of origin 'TOKAJSKÉ VÍNO zo slovenskej oblasti' is hereby entered in the Union register of geographical indications referred to in Article 22 of Regulation (EU) 2024/1143.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 2 July 2025.

For the Commission
The President
Ursula VON DER LEYEN