Reasoned statement of objection

Proposed application under the UK GI scheme.

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Name of product

Scottish Farmed Salmon

Contact details

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Group or organisation: Community of Arran Seabed Trust (COAST)

or national authority and department:

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Reason for objection

For PDO or PGI (as laid down in Article 10 of Regulation (EU) No 1151/2021 as amended by SI 2020/1637).

☐ Non-compliance with the conditions for PDO/PGI as laid down in Article 5 and non-compliance with product specification requirements as laid down in Article 7(1) of Regulation (EU) No 1151/2012

☒ Registration of the name would be contrary to Article 6(2) of Regulation (EU) No 1151/2012 (name conflicts with plant variety or animal breed)

☐ Registration of the name would be contrary to Article 6(3) of Regulation (EU) No 1151/2012 (name wholly or partly homonymous)

☒ Registration of the name would be contrary to Article 6(4) of Regulation (EU) No 1151/2012 (existing trademark)

☐ Registration would jeopardise the existence of names, trademarks or products as specified in point (c) of Article 10(1) of Regulation (EU) No 1151/2012

☒ The name proposed for registration is generic; details to be provided as set down in point (d) of Article 10(1) of Regulation (EU) No 1151/2012

For TSG (as laid down in Article 21 of Regulation (EU) No 1151/2012) as amended by SI 2020/1637 and 2020/1661).

☐ Non-compliance with the conditions laid down in Articles 18 and 24 of Regulation (EU) No 1151/2012.

☐ Registration of the name would be incompatible with the terms of Regulation (EU) No 1151/2012 (point (a) of Article 21(1) of Regulation (EU) No 1151/2012).

☐ The name proposed for registration is lawful, renowned and economically significant for similar agricultural products or foodstuffs (point (b) of Article 21(1) of regulation EU No 1151/2012).

Details of objection

Provide a statement setting out the reasons and justification for your objection, giving evidence where necessary. Provide a statement explaining your legitimate interest in the proposed application.

The Community of Arran Seabed Trust (COAST) is a marine conservation charity based on the Isle of Arran in Scotland. We work to protect and restore a diverse and abundant marine environment to benefit all and to ensure coastal communities have a say in the decisions that affect their seas. As such we have a legitimate interest providing this reasoned statement of objection.

Council Regulation (EC) No 510/2006 on protected geographical indications and protected designations or origin for “Scottish Wild Salmon” provides a clear description of what constitutes ‘wild’ salmon. This is clearly a distinctive product from a species that grows up, lives and breeds within natural aquatic systems extending from freshwater to marine environments throughout its life cycle; a life cycle that includes natural migrations of fish from freshwater to marine and back again. This is a product that is free from artificial colouring or chemicals. When consumers buy wild salmon they know they are purchasing a distinctive and exclusive, high value product.

Contrast this with Scottish Farmed Salmon (Council Regulation (EC) No 115/2012 on protected geographical indications and protected designations of origin) that are produced entirely through interventionist aquaculture systems with the use of chemical and physical treatments to address disease and sea lice, and a stated minimum colour intensity for the flesh colour which is achieved through additional of colouring to fish feed. Farmed salmon is a mass-produced product of a lower product price per unit weight than wild salmon, and is a product that many chefs consider to have a distinct lack of quality (e.g. Guardian newspaper article Oct 2023: https://www.theguardian.com/environment/2023/oct/14/its-a-poor-product-leading-uk-chefs-join-campaign-to-cast-farmed-salmon-off-menu)

Wild salmon and farmed salmon are two distinctly different products. It is clear from the PGI for 'Scottish Wild Salmon' that a distinctive aspect of this product is its origins as a completely wild living fish which has a consequent impact on the nature, texture and colour of the fish flesh. The PGI for 'Scottish farmed salmon' is clear that this is a farmed product.

Salmon Scotland Ltd is asking that its farmed product be given the designation 'Scottish salmon' even though the production of the farmed salmon product and how it lives throughout its life cycle bears no resemblance to 'Scottish Wild Salmon'. It is extremely important that consumers can be entirely clear as to what product they are buying, and that product branding is upfront and clear as to nature of the production of the product. Changing the name 'Scottish farmed salmon' to 'Scottish salmon' will introduce significant confusion as to the nature of the product people are buying and be extremely misleading to consumers. Even if there is a requirement to add some words on the packaging to indicate that the fish have been farmed, without this clearly stated in the title of the product it is highly likely that consumers will fail to see this. The price differential between 'Scottish wild salmon' and 'Scottish farmed salmon' is considerable, with 'Scottish wild salmon' commanding a much higher price per unit weight of product. Changing the name of 'Scottish farmed salmon' to 'Scottish salmon' could be construed as a marketing mechanism for an improved view of the quality of the farmed product or a means to be able to charge more, both of which would be inequitable for consumers.

We consider that the application to change the name of 'Scottish farmed salmon' to 'Scottish salmon' is contrary to the following articles of EU Regulation No 1151/2012 on quality schemes for agricultural products and foodstuffs:

Article 6.2: "A name may not be registered as a designation of origin or geographical indication where it conflicts with a name of a plant variety or an animal breed and is likely to mislead the consumer as to the true origin of the product."

Article 6.4: "A name proposed for registration as a designation of origin or geographic indications shall not be registered where, ……., registration of the name proposed as designation of origin or geographical indication would be liable to mislead the consumer as to the true identity of the product."

Article 10.1: “A reasoned statement of opposition as referred to in Article 51(2) shall be admissible only if it is received by the Commission within the time limit set out in that paragraph and if it: ……. (b) shows that registration of the name proposed would be contrary to Article 6(2), (3) or (4); (c) shows that the registration of the name proposed would jeopardise the existence of an entirely or partly identical name or trade mark or the existence of products which have been legally on the market for at least five years……”