

LEGAL REGULATIONS REGARDING TRADITIONAL PRODUCTS

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Abstract

Food safety and consumer protection is a subject that is of interest to both the consumer and the producer, whether they are professionals or non-professionals, as well as to specialists in the field.

The issue of consumer protection concerns aspects related to the system of relations created in the market, generated by the confrontation of consumption with the product offered by the producer, to which is added the framework for the development of the relations between the offerors and the consumer.

This paper has as its main objective the analysis the legal regulations that refer to traditional products and their labeling.

Key words: traditional products, food products, labeling, specific legislation

INTRODUCTION

In the context of the expansion of the traditional productsmarket, the authorities felt the need to renew the legislation in the field, which would allow a clearer identification of traditional products.¹

The traditional product is a food product for which local raw materials are used, it does not have food additives in its composition, it presents a traditional recipe, a traditional production and processing method and which differs from other similar products belonging to the same category;

Traditionality is the element or set of elements by which a product is distinguished from other similar products belonging to the same category. It may not be limited to a qualitative or quantitative composition or to a mode of production established by Community or national rules or by voluntary standards.

¹<https://www.juridice.ro/297544/traditional-handmade-bio-trendul-alimentelor-pe-piata-romaneasca-ce-trebuie-sa-faci-ca-sa-poti-opera-pe-piata-produselor-traditionale.html>

MATERIAL AND METHOD

The materials used in writing this paper consist of normative acts and web pages. The methods used are legal, namely the formal method, the historical method, the comparative method, the logical and analytical method.

The use of these methods had the role of performing a systematic analysis of the information from the studied sources in order to elaborate the points of view and the conclusions.

RESULTS AND DISCUSSION

²The dynamics of food consumption strongly integrate products of several types, natural, ecological, traditional or local. The identification and representation that a consumer has about a place or a method of production may appear to him as the demonstration of an authentic product. These elements and others in the production sector lead to the development of labeling practices which, in different forms, aim to provide the consumer with a guarantee, to authenticate the existence of a link between the product and the place of origin, to protect this product from possible counterfeiting. Thus, local food seems to have a greater value as an indicator for local and traditional cultural identity, than as a marketing label.

Given the great diversity of food products and the abundance of information available, consumers want to have clear and concise data on the origin of products, their specific characteristics due to geographical areas, provenance and traditional production methods, history, giving them the opportunity to make the best choice.

The certification of food products is carried out in accordance with the European and national legislation in force and European standards. DO - "Designation of Origin": can be the name of a region, a specific place or a country, used to describe an agricultural or food product.

The product must be: originating in this region, specific place or country. The characteristics of the product are due to the geographical environment of origin with its natural and human factors.

The raw materials used must come only from the defined geographical area, and production, processing and preparation must take place only in that geographical area. PGI - "Geographical Indication": can

²<https://gastroart.ro/2017/04/17/produsele-traditionale-abordari-teoretice-perceptii-si-reglementari/>

be the name of a region, a specific place or a country, used to describe an agricultural product or food.

The product must be: originating in this region, specific place or country and have a specific quality, reputation or other characteristics attributed to that geographical origin.

The raw materials used can also come from outside the defined geographical area; certain operations of the production process, such as: packaging, freezing, storage, may take place outside the defined geographical area. GTS - “Guaranteed Traditional Specialty”: the product results from a production, processing or composition process that corresponds to a traditional practice and is produced from raw materials or ingredients used in the traditional way.

The certification of food products is intended to protect against: any commercial use of a registered naming which would allow the exploitation of its reputation; misuse, imitation or evocation of origin; any false or misleading indication regarding the provenance, origin, nature or essential qualities of the product; any other practice susceptible to mislead the consumer as to the true origin of the product.³

The European Commission has adopted a number of regulations on the application of EU quality systems to the agricultural and food sector. Covering the wider context of quality systems for this sector, including geographical indications and guaranteed traditional specialties, the legislation also explains how the use of logos in relation to each system, how the programs should be applied, referring also to the guidelines regarding the labeling of agri-food products using DO (designation of origin) and PGI (protection of geographical indications) ingredients.⁴

⁵The attestation of the traditional products represents the recognition of the traditionality of a product through its registration and the issuance of the document “Certified traditional product” with the observance of the following conditions:

- local raw material - the raw material used to obtain the traditional product and which is produced in the territory of the state where the traditional product is manufactured

- traditional product certificate - a document certifying that the holder meets the legal conditions for the production /manufacturing/ processing of local raw material in order to obtain a traditional product

³https://www.certind.ro/conformitate-produse_18/produse-alimentare-dop-si-igp_20

⁴https://ec.europa.eu/info/food-farming-fisheries/food-safety-and-quality/certification/quality-labels/quality-schemes-explained/regulations-food-and-agricultural-products_ro

⁵Order 1082/2013 on the attestation of traditional products, published in the Official Gazette. 688 of 11/11/2013

To be certified as a traditional product, the product must meet the requirements of the *task book*. The task book must contain the following elements: the name of the product. If the product is already registered under a custom, unique name, it is not registered again; description of the characteristics of the traditional product, indicating the main organoleptic properties: color, taste, odor, aroma, consistency, appearance, physico-chemical: moisture, protein content, fat, carbohydrates, salt, pH, porosity and microbiological, as appropriate, to define its traditionality / specificity; description of the characteristics of the raw materials, which do not contain in their composition additives obtained by chemical synthesis and not only, such as: food additives, flavors, vitamins, minerals; the origin of the raw materials; description of the characteristics of the ingredients used in the manufacturing process, which do not contain in their composition food additives, except for natural additives, respectively dyes, flavors, vitamins, minerals, sweeteners; indication of the ingredients used and of the main organoleptic, physico-chemical and microbiological properties, where applicable, of them; description of the specific local, authentic and invariable production method, as well as the description of the traditional technological process, where all the production phases will take place, specifying the operations executed manually; description of the specific elements regarding the packaging, in order to ensure the quality, origin and identification elements, respectively the material from which the packaging is made, its properties and its influence on the finished product; photo and product description per section, where appropriate, representing the specific characteristics of the product, the shape; the mode of production and / or processing which reflects a traditional technological process of production and / or processing by which the product is distinguished from other similar products belonging to the same category; minimum requirements and procedures for verification and control of product traditionality; production capacity achieved - reported for one year, respectively 365 days, which may not exceed the average quantity of 150 kg / liter per day total certified traditional product and not more than 400 kg / liter per day total certified traditional products, except for the production of traditional bread and bakery products - which may not exceed the average quantity of 300 kg per day total certified traditional product and not more than 800 kg per day total certified traditional products; data, documents, bibliographic references that indicate the historical origin of the product, to demonstrate the transmission of a tradition from one generation to another and from which to result the historical connection of the traditional product with the place of production or a statement of notoriety from a local association of producers of traditional products signed by its governing bodies.

In the context of declaring some products as traditional, the specific legislation on food labeling must also be taken into account. Decision 106/2002 on food labeling published in the Official Gazette. 147 of 2002.02.27 and the Methodological Norms of 2002 regarding the labeling of foods published in the Official Gazette. 147 of 27.02.2002 regulates the labeling of food delivered as such to the final consumer, as well as restaurants, hospitals, canteens and other economic agents that prepare and supply food for the population.⁶

CONCLUSIONS

The regulations regarding the attestation of traditional products create a rather rigorous procedural framework, the rules thus becoming stricter, the regulations are more detailed. Producers and consumers thus have clearer marks about what traditional products are and how they are identified.

By declaring a product as traditional, we are facing a transformation of it into a heritage object that is transmitted from generation to generation and gives a special shade to the geographical area of which it is part, thus becoming a product with a special value, being linked the tradition, specificity and identity of the area from which it comes.

REFERENCES

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⁶Decision 106/2002 on food labeling, Methodological Norms of 2002 on food labeling

