

**Question for written answer E-002680/2024
to the Commission**
Rule 144
Pernando Barrena Arza (The Left)

Subject: Ruling of the High Court of Justice of the Basque Country against recognising the Arabako Mahastiak/Viñedos de Álava PDO

The Rioja controlled designation of origin (CDO) regulatory board has been opposing recognition of the protected designation of origin (PDO) Arabako Mahastiak/Viñedos de Álava, purportedly not to protect the Rioja CDO, but to ensure the initiative led by Álava wine growers fails.

The High Court of Justice of the Basque Country has upheld an appeal brought by the Rioja CDO regulatory board challenging the Basque Government's decision to recognise the Arabako Mahastiak/Viñedos de Álava PDO. The decision exclusively applies a national regulation from 2011.

In the light of the above:

1. Can the decision be regarded as obstructing, restricting and distorting free competition in order to keep a dominant position in the Spanish wine market?
2. Given that wine PDOs fall squarely under the EU's remit, and have been governed by a European regulation since 2013, shouldn't Spain's authorities (including its legal authorities) settle a PDO dispute under EU law rather than a Spanish regulation?
3. What measures does the Commission intend to take to protect the new PDO promoters' right not to have their application – submitted to the Commission in 2022 – closed until a final judgment has been handed down?

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