



EU system for geographical indications and TTIP

Minneapolis, 5 March 2015



Vidalia Onions ... Parma Ham ... Napa Valley Wine ... Champagne ... Idaho Potatoes ...Stilton Cheese

The United States and the European Union have a rich **tradition history of local and specialized agricultural production**, and are home to famous food products that bear names symbolizing their authentic agricultural origins.

Behind these names are often centuries of respected culinary practices, agrarian traditions, and local expertise.

When their quality, reputation or other characteristic is linked to their geographical origin those products names can be called geographical indications (GIs). Much like a copyright, GIs guarantee consumers that a product is authentic honestly produced following an agreed recipe and ingredients content, while protecting the producer from those who might attempt to exploit the reputation.

Opportunities for the Rural Communities

- **Tradition:** GIs help to preserve the unique identity of traditional production from local communities.
- **Sustainable Development:** By protecting and preserve intellectual property related to traditional cultures, geographical diversity, and production methods,
- **Vibrant rural areas:** by creating jobs and injecting growth opportunities
- **Investment:** GIs protect the significant investment of producers who have all to abide to the product specification
- **Tourism:** Regions that feature local certified products attract tourism and provide ample opportunity for recreational activities.

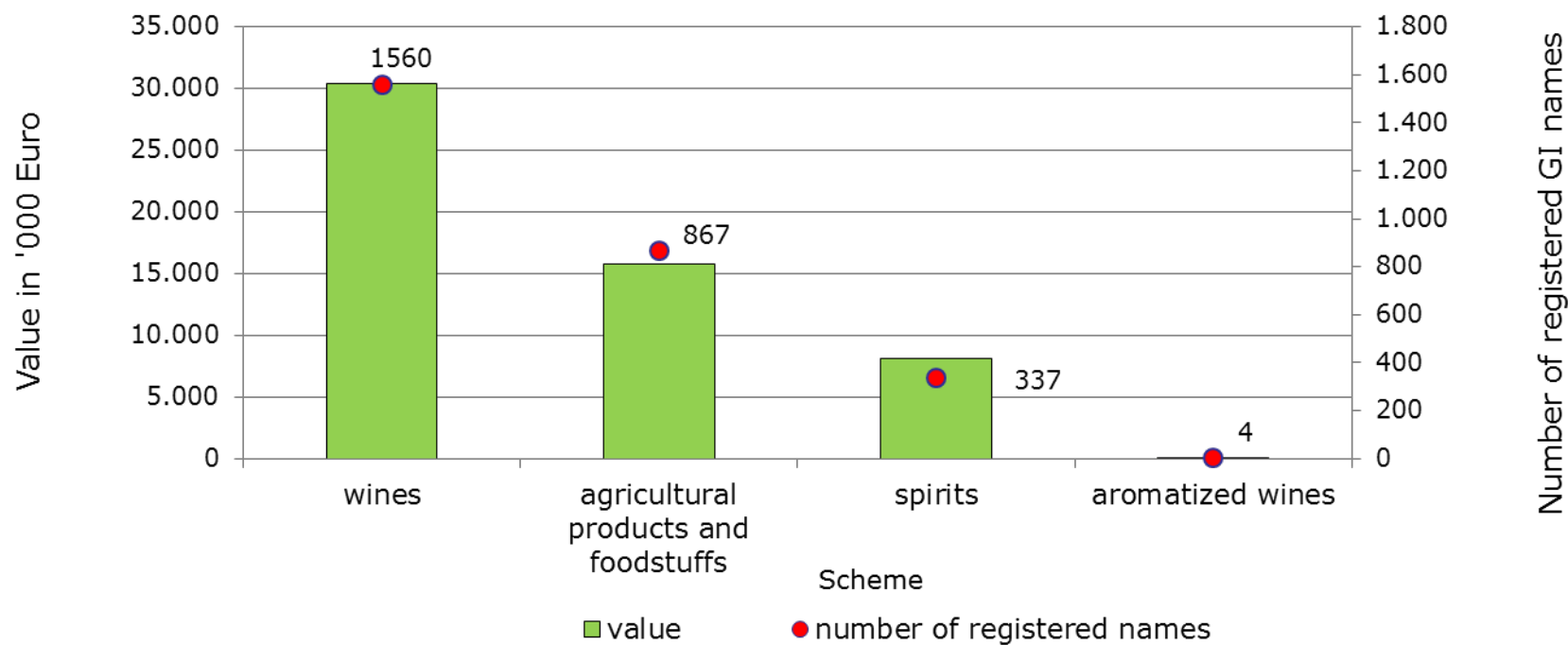
Transparency for the consumers

- **Authenticity:** Buyers are guaranteed that the products they purchase have been developed using traditional methods in the geographic region associated with the particular GI.
- **Quality:** products and their recipes/ ingredients are certified by the European Union and traceable to their roots – from farm and vine to fork and glass.
- **Variety:** allow buyers to access a wider range of genuine natural tastes.
- **Value for money:** by guaranteeing that a product is authentic, GIs justify a premium price.

Sales value

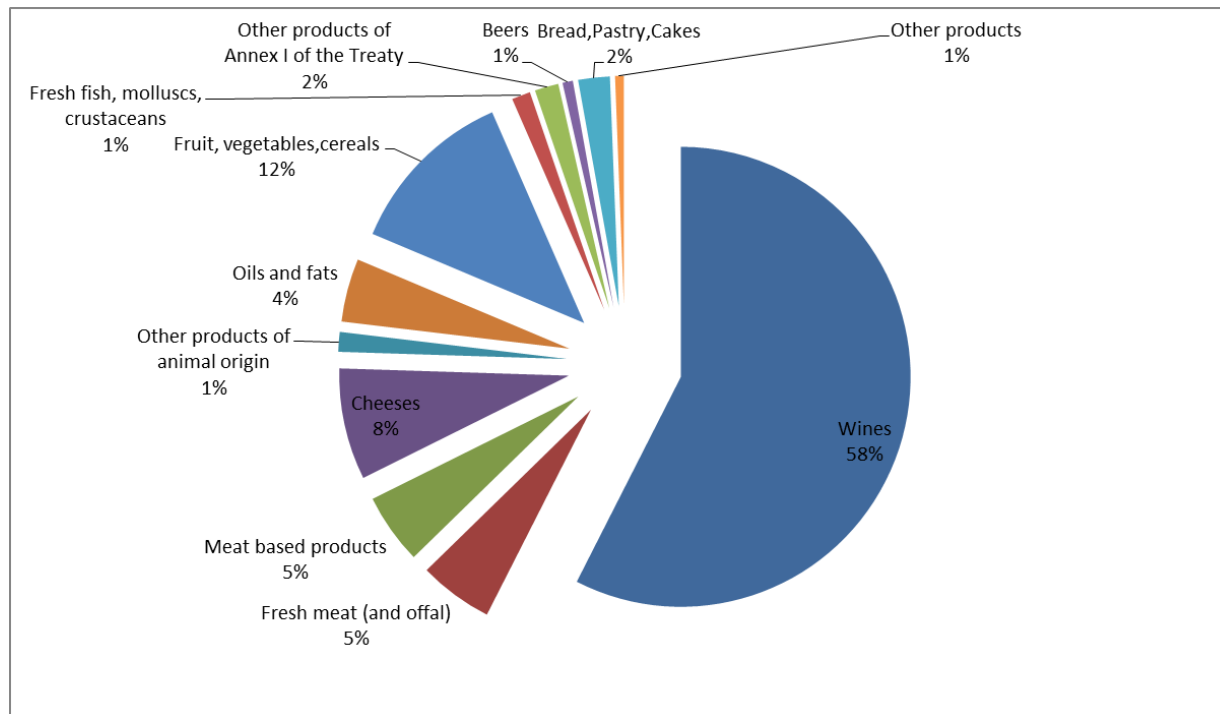
- **Sales value** of EU GIs: **€54.3 billion** in 2010 (estimated at wholesale stage in the region of production)
- 5.7% of the total EU food and drink sector
- Estimate of EU GI **exports** value: **€ 11.5 billion**
- 15% of EU food and drink industry exports

Value GIs (2010)

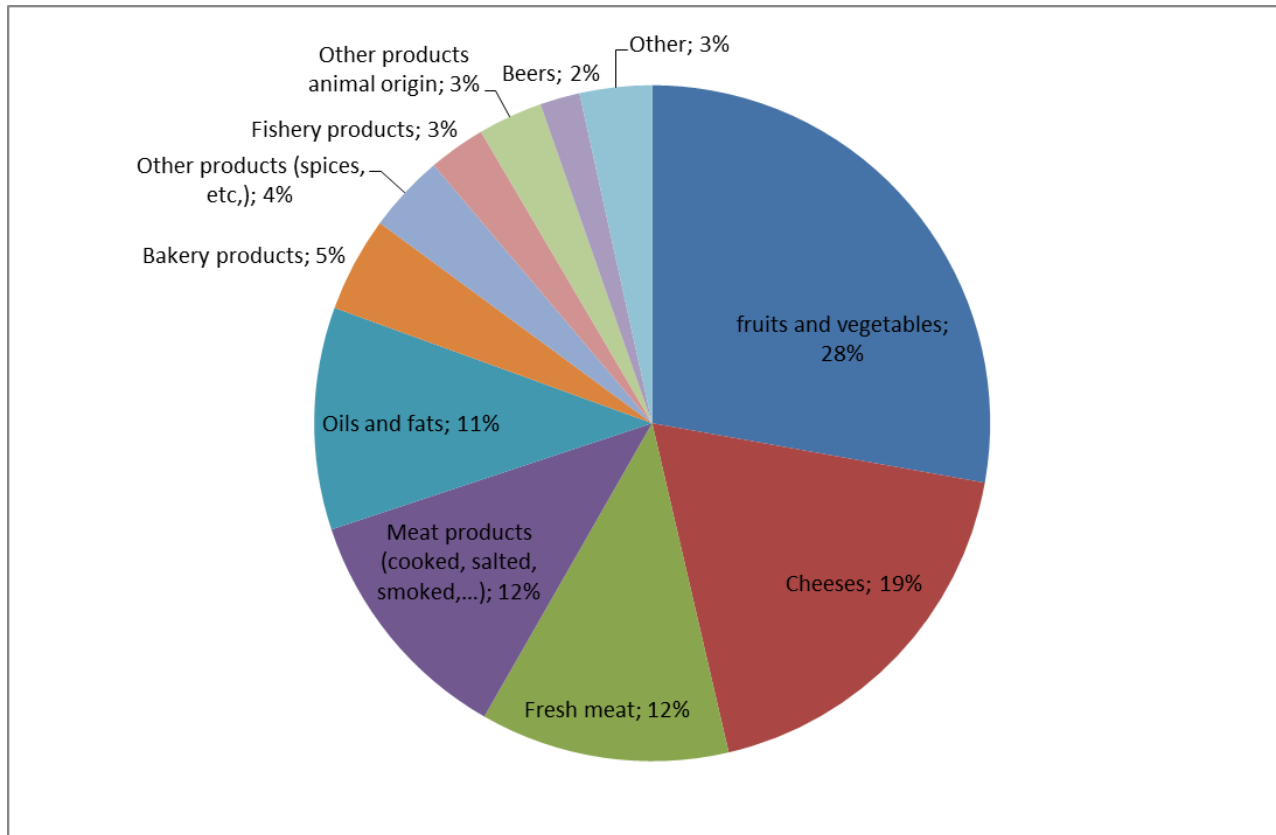


Source: Study done by AND-international in 2012 for European Commission, DG AGRI

Overview PDO/PGI all sectors



Overview PDO/PGI foodstuff



Legislation

- *Wines – Regulation (EC) No 1234/2007*
- *Spirits – Regulation (EC) No 110/2008*
- *Agricultural products and foodstuffs - R(EU) No 1151/2012*

GIs -2 types: PDO and PGI



1. geographical
area



2. specific
product



3. causal link



4. PGI or PDO

10



PGI and PDO

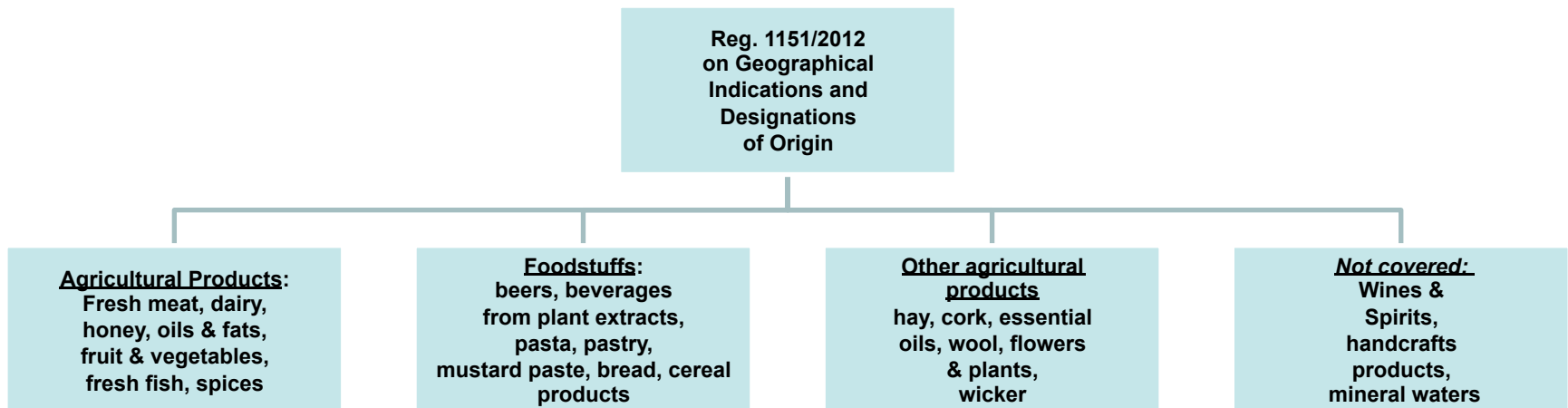
COMMON POINTS

- Type of products
- Geographical names
- Products have to fully originate in the region of which they bear the name
- Registration Procedure
- Protection level
- Controls

DIFFERENCES

- Link to the geographical environment (stronger for PDO)
- Reputation (only PGI)
- Number of production steps to be realized in the region (one is enough for PGI) – for *Wines* all in the region
- All raw materials originate from the region (only PDO)¹¹

Scope of Regulation (EU) 1151/2012



Database of origin and registration: **DOOR** (agricultural products and foodstuffs)

- *Full data*
- *Date of submission*
- *Links to summaries and specifications*
- *Links to official publications*
- *Links to control body*
- *For non-EU persons and bodies:*
 - **On-line applications**
 - **On-line objections**



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English (en)

European Commission > Agriculture and Rural Development > Agriculture and food > DOOR > Denomination Information

Name: Bryndza Podhalańska
Countries of Origin: PL
Dossier Number: PL/PDO/0005/0450
Status: Registered
Application Type: PDO
Date of Submission: 18.02.2005
Type of Product: Class 1.3. Cheeses

Authority/Control Body

Name: Główny Inspektor Jakości Handlowej Artykułów Rolno-Spożywczych
Address: ul. Wspólna 30, 00-830 Warszawa
Address: Tel: 48/22 623 29 00
Address: Fax: 48/22 623 29 98
URL: sekretariat@ihars.gov.pl
URL: [Authority/Control Body](#)

Official Journal Publications

[Official Journal L150/12.06.2007](#)
[Official Journal C230/23.09.2006](#)

Other Documents

[PL_0005_0450_SPE_PL_Q.pdf](#) (PL_0005_0450_SPE_PL_Q.pdf)

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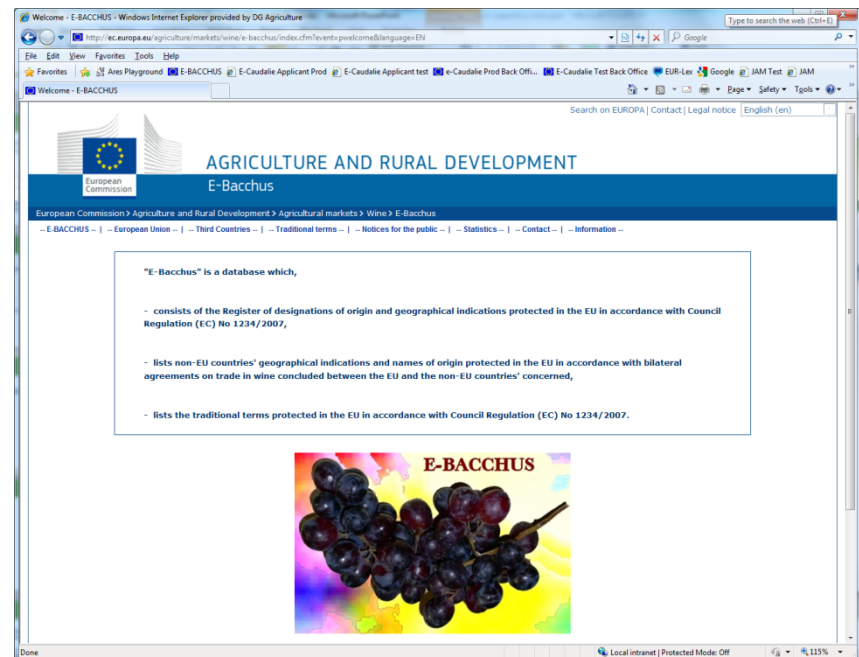
DOOR Register page

- *Name*
- *PDO or PGI*
- *Product category*
- *Country of Origin*
- *Legal act of registration*

  REGISTER <small>GESCHÜTZTER URSPRUNGSBEZEICHNUNGEN UND GESCHÜTZTER GEOGRAPHISCHER ANGABEN</small>		  REGISTER <small>OF PROTECTED DESIGNATIONS OF ORIGIN AND PROTECTED GEOGRAPHICAL INDICATIONS</small>		  REGISTRE <small>DES APPELLATIONS D'ORIGINE PROTEGES ET DES INDICATIONS GEOGRAPHIQUES PROTEGES</small>	
1. Kölsch					
2. Registriert als: Registered as: Enregistrée en tant que:		g.g.A./PGI/IGP			
3. Klassifizierung: Classification: Classification :		2.1			
4. Ursprungsland: Country of origin: Pays d'origine :		DE			
5. Verweis: Reference: Référence:		Verordnung (EG) Nr. 430/2009 der Kommission (ABl. L 127 vom 26.5.2009, S. 3) Commission Regulation (EC) No 430/2009 (OJ L 127, 26.5.2009, p. 3) Règlement (CE) n° 430/2009 de la Commission (JO L 127 du 26.5.2009, p. 3)			
Seite/page/page <u>227</u>					
6. In Falle einer Änderung, siehe Seite In case of amendment, refer to page En cas de modification, voir page					
EUROPÄISCHE KOMMISSION EUROPEAN COMMISSION COMMISSION EUROPEENNE 					

E-Bacchus register – Wine products

- *Only official register*
- *1723 Wine names*



<http://ec.europa.eu/agriculture/markets/wine/e-bacchus/>

E-Spirit-Drinks

- *Only a database*
- *331 GI names for Spirits*



<http://ec.europa.eu/agriculture/spirits/>

GIs IP protection: certainty for producers and consumers

- Protection to the NAME not to the product.
- Right to use: applies to 'any operator' respecting product specification
- Indefinite protection
- *Administrative enforcement*

GIs IP protection: certainty for producers and consumers

Protection against wrongful uses:

- direct or indirect use (like, style) of a registered name on non-originating product;
- misuse, imitation or evocation (use of symbols), even if name is translated;
- any other false or misleading indication or other practice liable to mislead consumer

IP protection - Relation GIs/TM

- Prior GI prevents the registration of a trademark
→ relation with TM offices.
- Prior trademark which has been applied or registered, or established by use, in good faith, before the date of protection in the country of origin
→ coexistence
- Conflict with renown TM prevents GI registration
→ if registration is liable to mislead the consumer as to the true identity of the good.

Non-EU countries registrations

- *2 wines:* **Napa Valley, 1 Brazil**
- *17 foodstuff:*
 - **Colombia (1)**
 - **India (1)**
 - **China (10)**
 - **Vietnam (1)**
 - **Thailand (1)**
 - **Andorra (1)**
 - **Turkey (1)**
 - **Norway (1)**
 - **Cambodia (1)**

GIs legislation progressing

- *Japan*
- *China*
- *India*
- *Thailand*
- *Morocco*
- *Brazil*



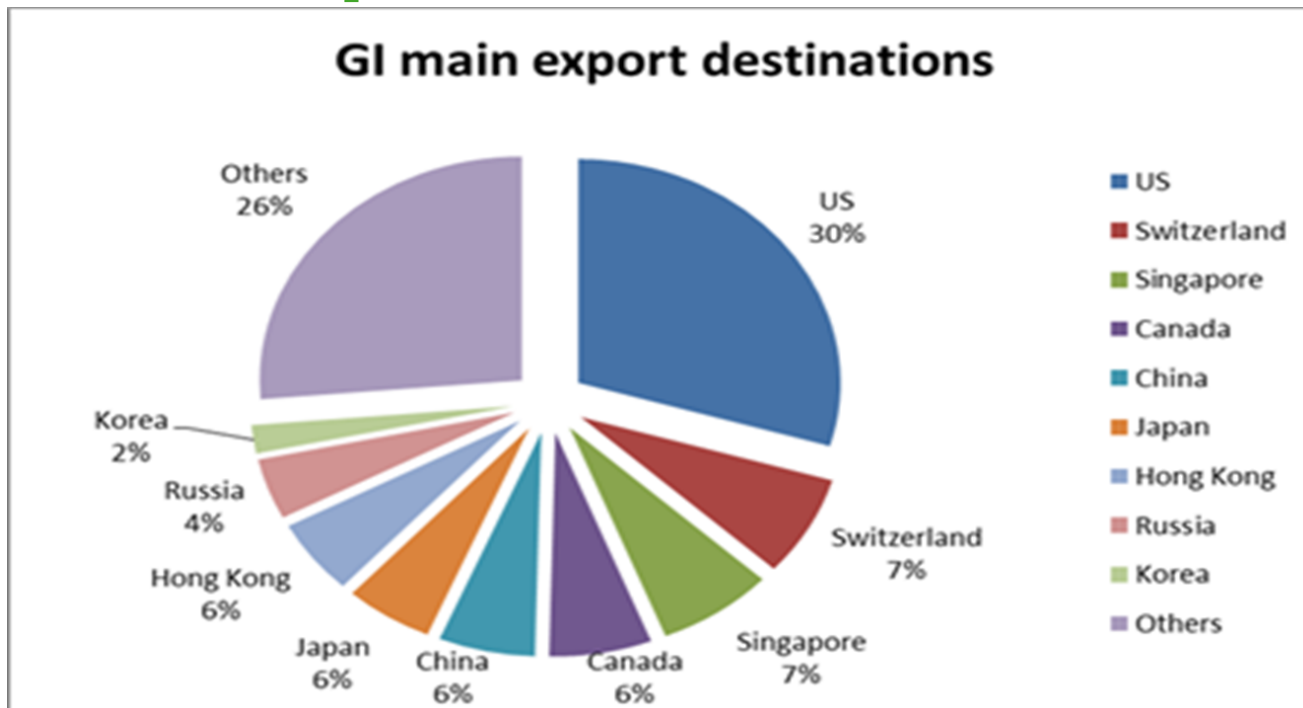
EU Agreements on GIs

- *Self-standing or within FTAs*
- *Mutual recognition*
- *Fast Track registration procedure*
- *Protection within the Agreement*
- *Solution of conflicting cases (generics/TM/uses)*

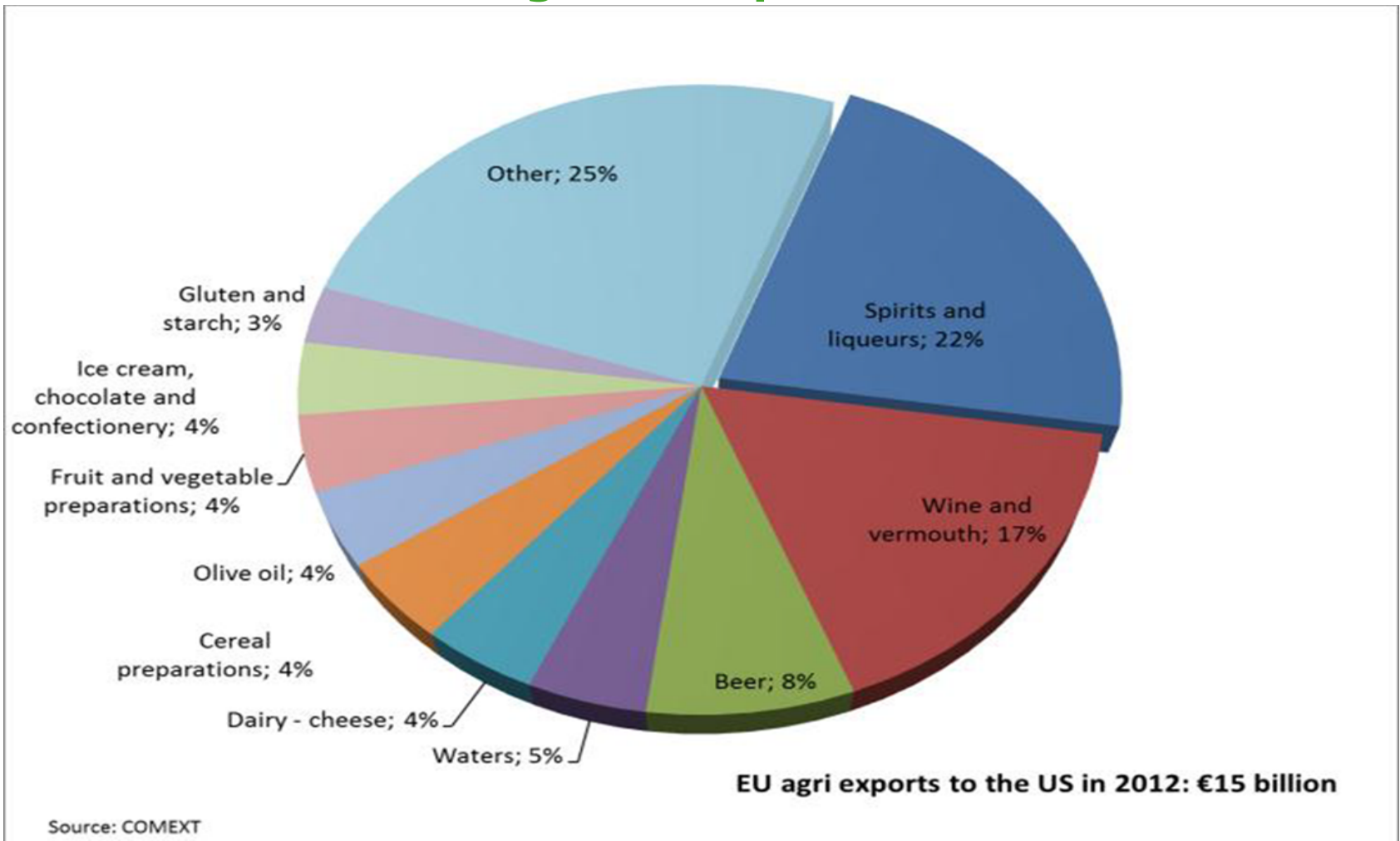


Positive effects on marketing

Export destinations



The composition of the EU agri export to the US: made by 70% of high value processed food.



EU GIs asks within TTIP

- *Protection*
- *Enforcement*
- *Solution for difficult cases*

More information

Agricultural products and foodstuffs:

- *Council and European Parliament Regulation (EU) No 1151/2012*
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:343:0001:0029:EN:PDF>
- *DOOR database*
http://ec.europa.eu/agriculture/quality/database/index_en.htm
- *Quality policy web-pages:*
http://ec.europa.eu/agriculture/quality/index_en.htm

Wines

- *General website*
http://ec.europa.eu/agriculture/markets/wine/index_en.htm