

# EU Geographical Indications and the Global Market

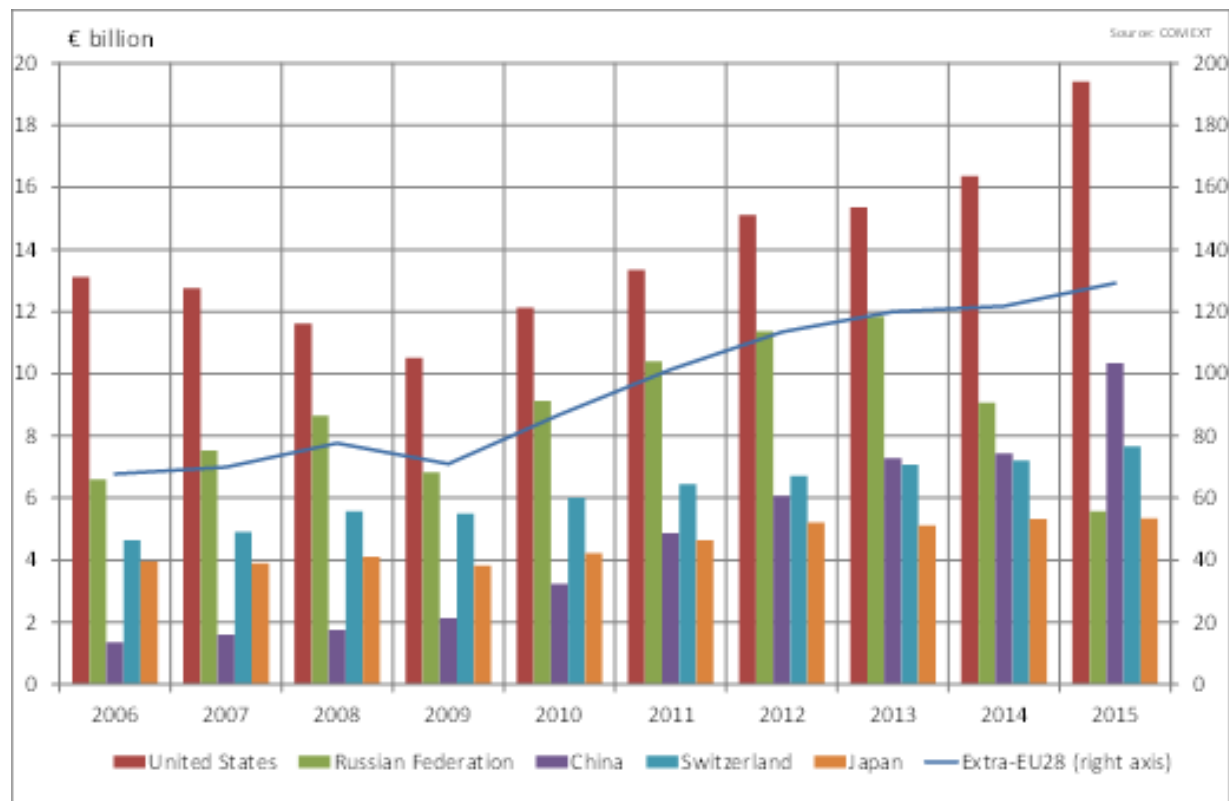
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*Nicolas DANDOIS*  
*International Relations Officer*  
*European Commission*  
*Directorate-General for Agriculture and*  
*Rural Development*

# Overview

1. Agriculture in the EU and agri-food trade
2. The EU system for Geographical Indications
3. Protection of European Geographical Indications at international level
4. Enforcement and control of Geographical Indications in the EU

# Agriculture in the EU and agri-food trade



# EU agriculture at a glance

**175 million ha  
land**

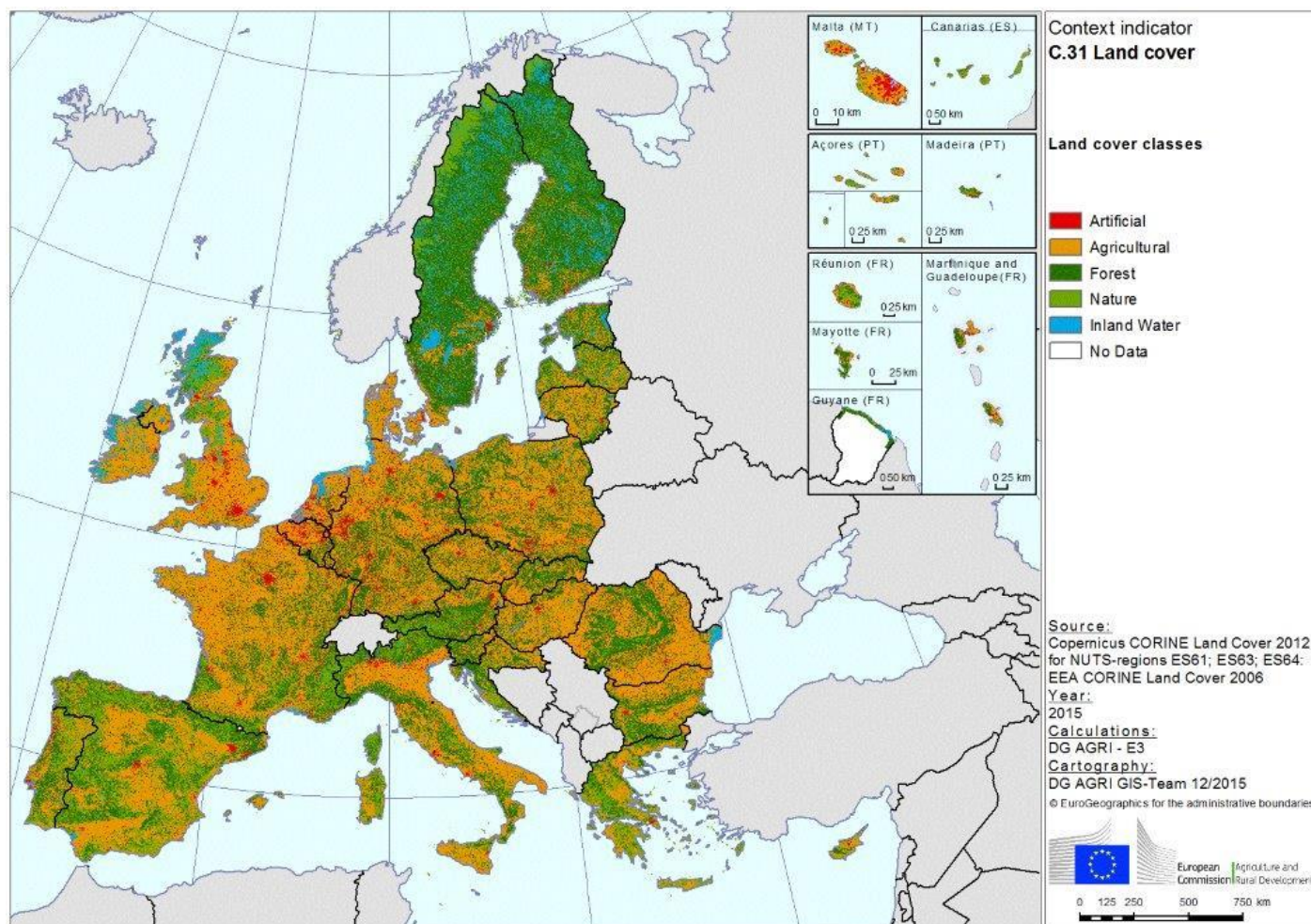
**=> roughly 40%  
of EU land cover**

**11 million farms**

**=> 16 ha per farm**

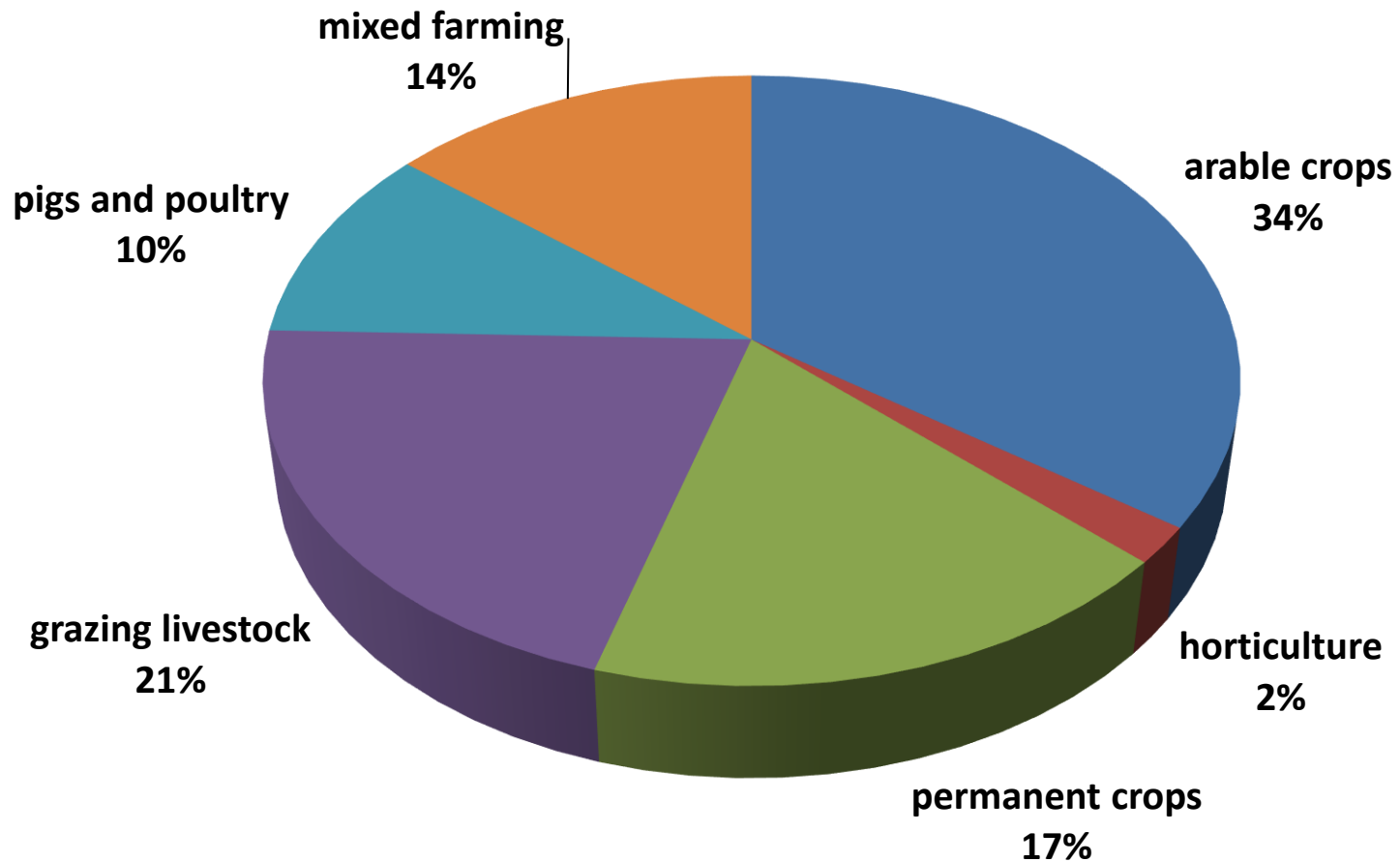
**22 million people  
(around 9 million  
full-time equivalent  
jobs)**

**=> 4.4% of total  
employment**

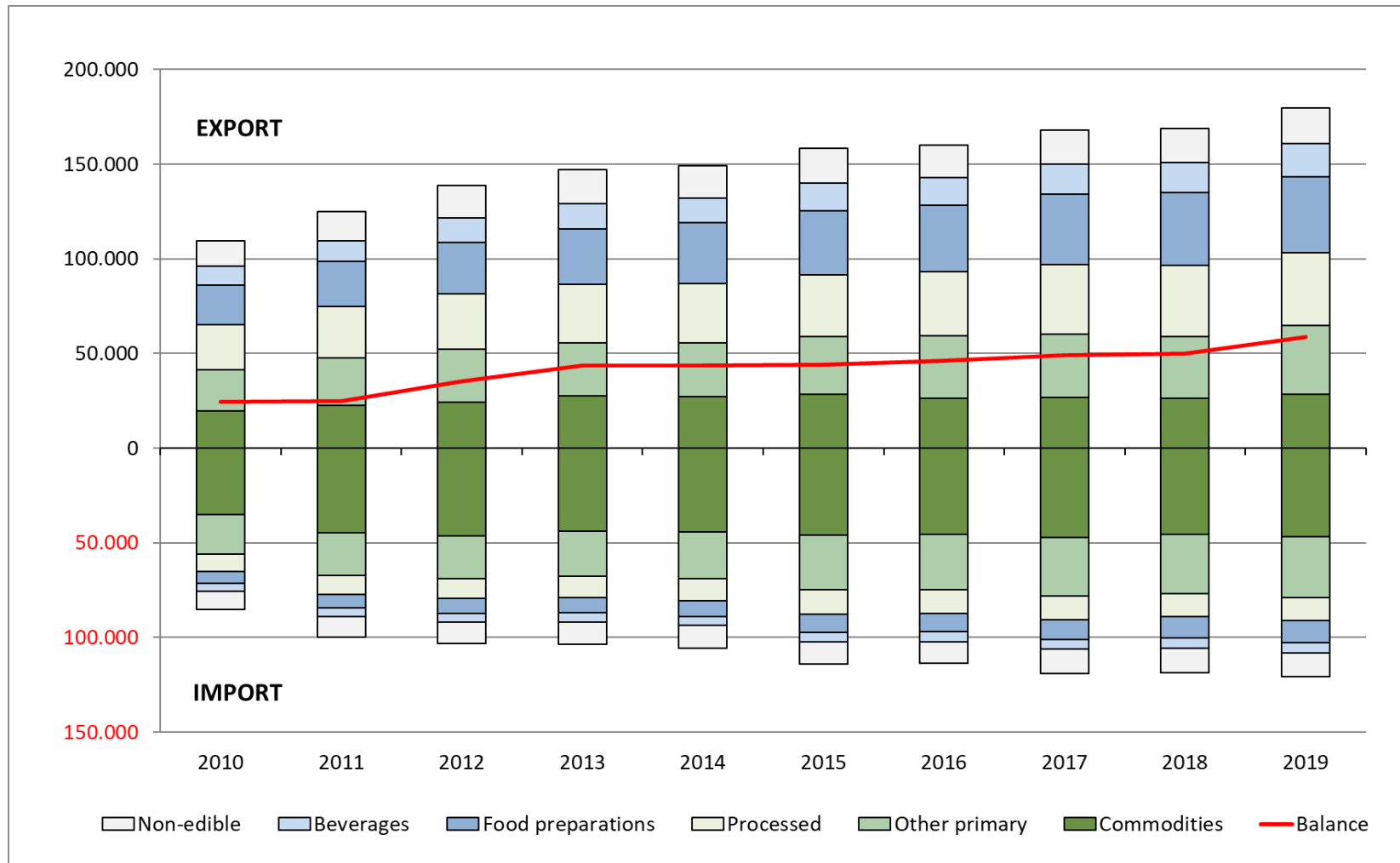


# Main activities of EU farms

## EU-28, 2013



# EU27 structure of agri-food trade with extra-EU27, 2010-2019 (in million Euro)



# Export Success

- CAP reforms;
- Global growth in demand;
- Consumer preference for European quality;
- Trade policy, trade agreements and promotion



# The EU system for Geographical Indications







# What is the definition of a Geographical Indication?

1. Defined geographical area

+

2. Specific product

+

3. Link between 1 and 2.





# Legal Framework

**WTO:** TRIPS agreement as framework - Articles 22-24 (no register, legal basis for bilateral agreements)

**WIPO:** Geneva Act of the Lisbon agreement (multilateral register)

**EU:** Four sets of rules for food, wine, spirit drinks & aromatised wines (EU register). Exclusive EU systems as regards the 4 sectors

- ❖ Agricultural products and foodstuffs - Regulation (EU) No 1151/2012
- ❖ Wines – Regulation (EC) No 1308/2013
- ❖ Spirits – Regulation (EU) No 2019/787
- ❖ Aromatised wines - Regulation (EU) No 251/2014

# EU quality designations

**PDO: Protected Designation of Origin**  
(Food & Wine)

**PGI: Protected Geographical Indication**  
(Food & Wine)

**GI: Geographical Indication**  
(Spirits & aromatised wines)





# Benefits for producers

- **Protection of product names** from misuse and imitation
- **Name is reserved** to products respecting the specification, it is not reserved to one single producer, but can be used by **all producers respecting the specification – Collective Right**
- **Protection unlimited in time** (possibility of cancellation if compliance with the product specification is no longer ensured)
- **Administrative protection** by public authorities
- Better market opportunities and allows often a **better price** (on average, the price of a GI product is about **2.5 times** the price of a comparable non-GI product)

# Economic Data

- Estimated total **sales value** of EU GIs: **€ 75 billion in 2017**

= 6.8% of the total EU food and drink sector

- Estimate of **EU GI exports value to non-EU countries**: **€ 17 billion in 2017**

= 15% of EU food and drink exports; wines & spirits:  
89% of total GI exports

- **Sales destinations**:

= **58%** of sales take place on the national MS market,  
**20%** on the EU market and **22%** in third countries



# Benefits for consumers

- Give to consumers the **information** on the characteristics and benefits of the GI products
- It provides a guarantee on:
  - **Origin** of the product (tradition and heritage)
  - **Quality** of the product (specification)
  - **Authenticity** of the product (no imitation)
  - **Safety** of the product (specification and controls)
- **Assured by controls** on production site and on the market by public authorities
- Quality designations prevent the standardization of food products and offer a **wider choice to consumers**





# Benefits for society

GIs maintain **jobs** and **economic activities** in rural areas

GIs encourage the preservation of

- **Biodiversity and Sustainable agriculture**
- **Local savoir-faire and traditional methods**
- **Landscapes** → tourism

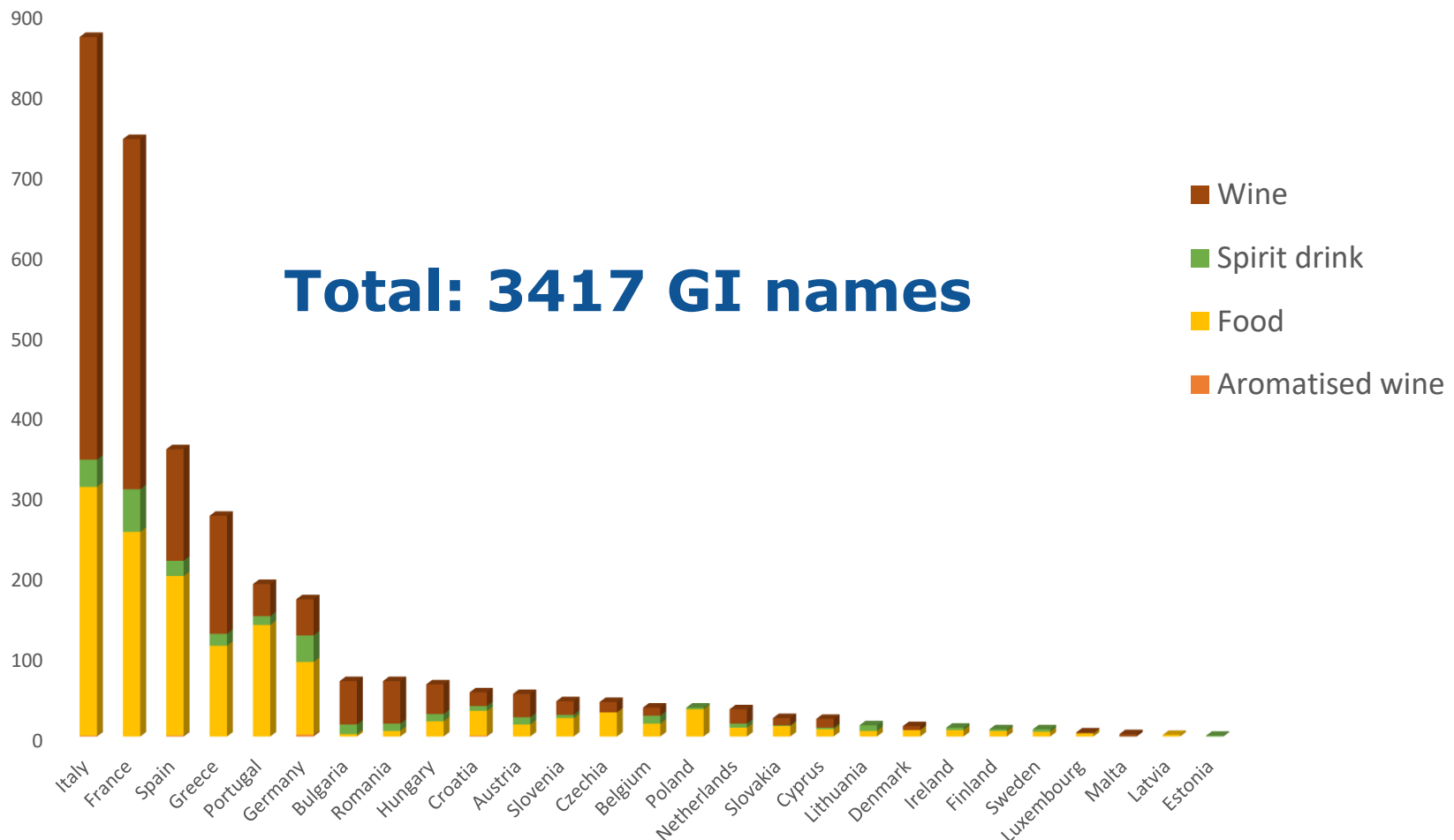




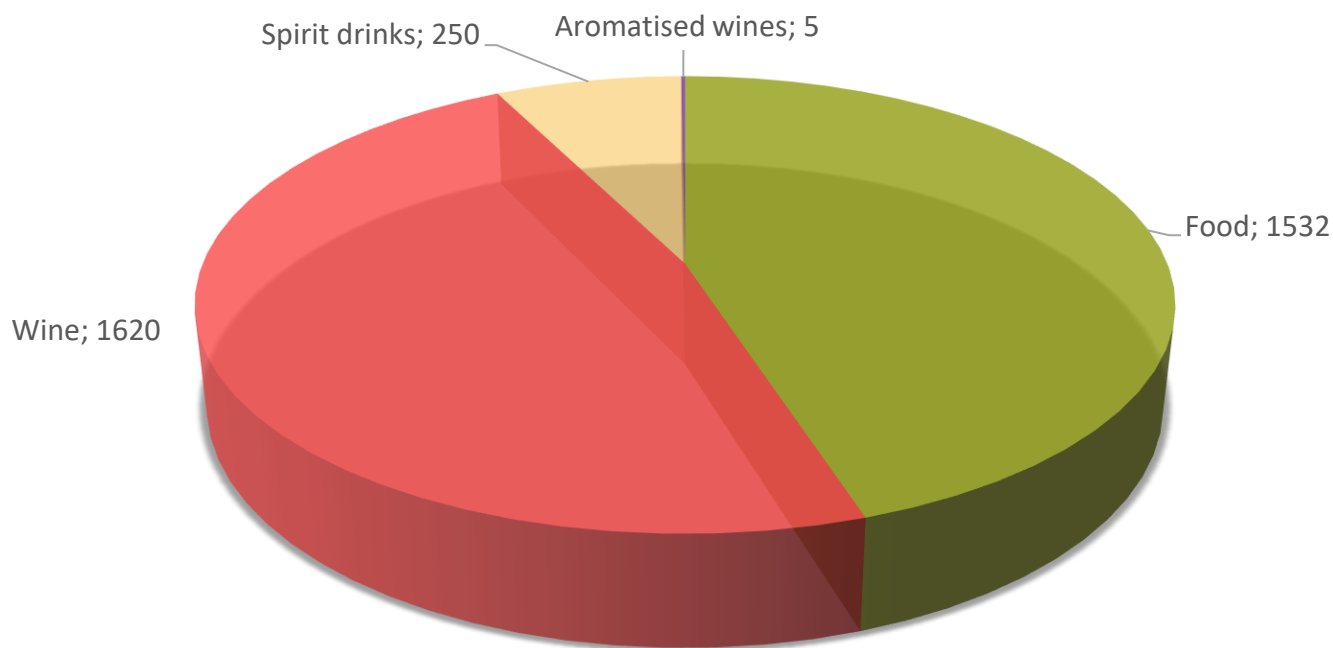
## **GIs specific attributes in comparison to TMs**

- Linked to territory (limited and specific area)
- Must certify the origin
- Quality related (specifications to be respected)
- Reputation of the product (collective ownership)
- Right cannot be sold and is unlimited in time
- Control by the producers + public authorities

# Registered GIs by EU MS and by sector (April 2021)



# Registered GIs (3417\*) by sector (April 2021)



\*In the total number, the multi-country GIs are included



# Transparency of information

The EU applies full transparency on Geographical Indications protected in the European Union originating in Member States and Third Countries

## **e-ambrosia (EU geographical indications register)**

<https://data.europa.eu/euodp/en/data/dataset/eam-brosia-eu-geographical-indications-register>

# Non-EU countries (**Food**, **Wine**, **Spirit drinks**)

- *215 names registered*

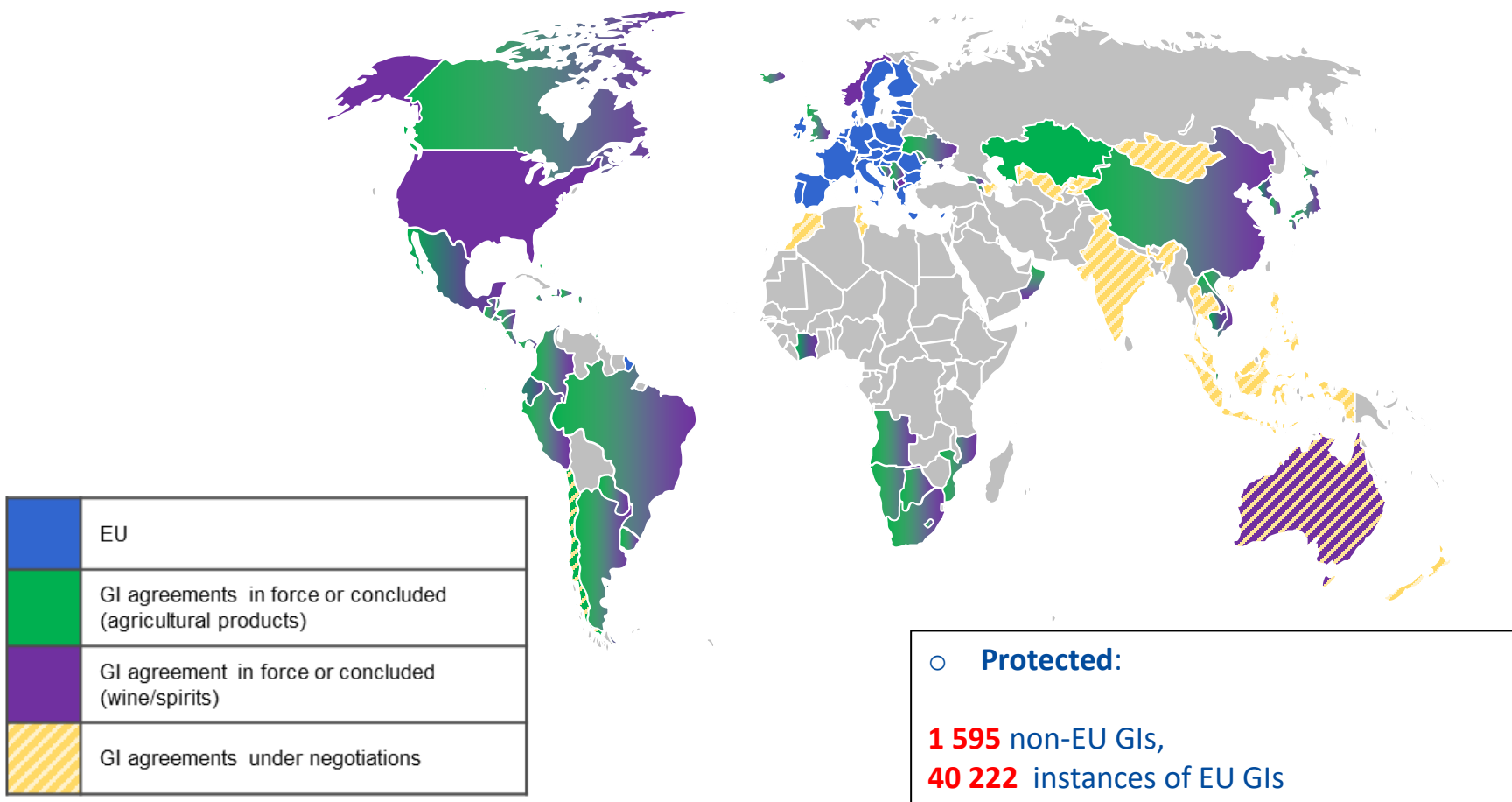
**China (110)**  
**United Kingdom (69)**  
**Turkey (5)**  
**Thailand (4)**  
**Cambodia (2)**  
**Norway (2)**  
**Andorra (1)**  
**Colombia (1)**  
**Dominican Rep. (1)**  
**India (1)**  
**Indonesia (1)**  
**Vietnam (1)**

**United Kingdom (5)**  
**Brazil (1)**  
**USA (1)**

**United Kingdom (5)**  
**Norway (2)**  
**Guatemala (1)**  
**Peru (1)**  
**Mexico (1)**



# Protection of EU GIs in international agreements



# Protection of EU GIs through international trade agreements

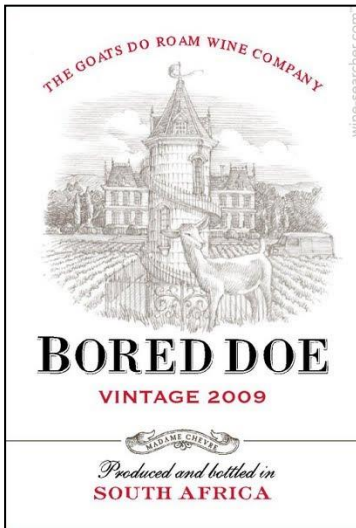
Currently there are:

- **36 agreements** in **force** or **concluded** with GI chapters (e.g. **Vietnam**, **China**, **Japan**, **South Korea**, **Singapore**, **Mercosur**, **Mexico**, **Canada**)
- **14 negotiations ongoing** (e.g. Indonesia, New Zealand, Australia...)

In Bilateral Agreements the EU aims at:

- ✓ “**High level**” of Protection of GIs beyond TRIPS
- ✓ **Reciprocal** protection (GIs protected directly and indefinitely)
- ✓ **Co-existence** of GIs with prior TM registered in good faith
- ✓ Ensuring **administrative enforcement**

## Examples of usurpation/evocation



Evocation of "Bordeaux"



Evocation of "Côte-Rôtie"

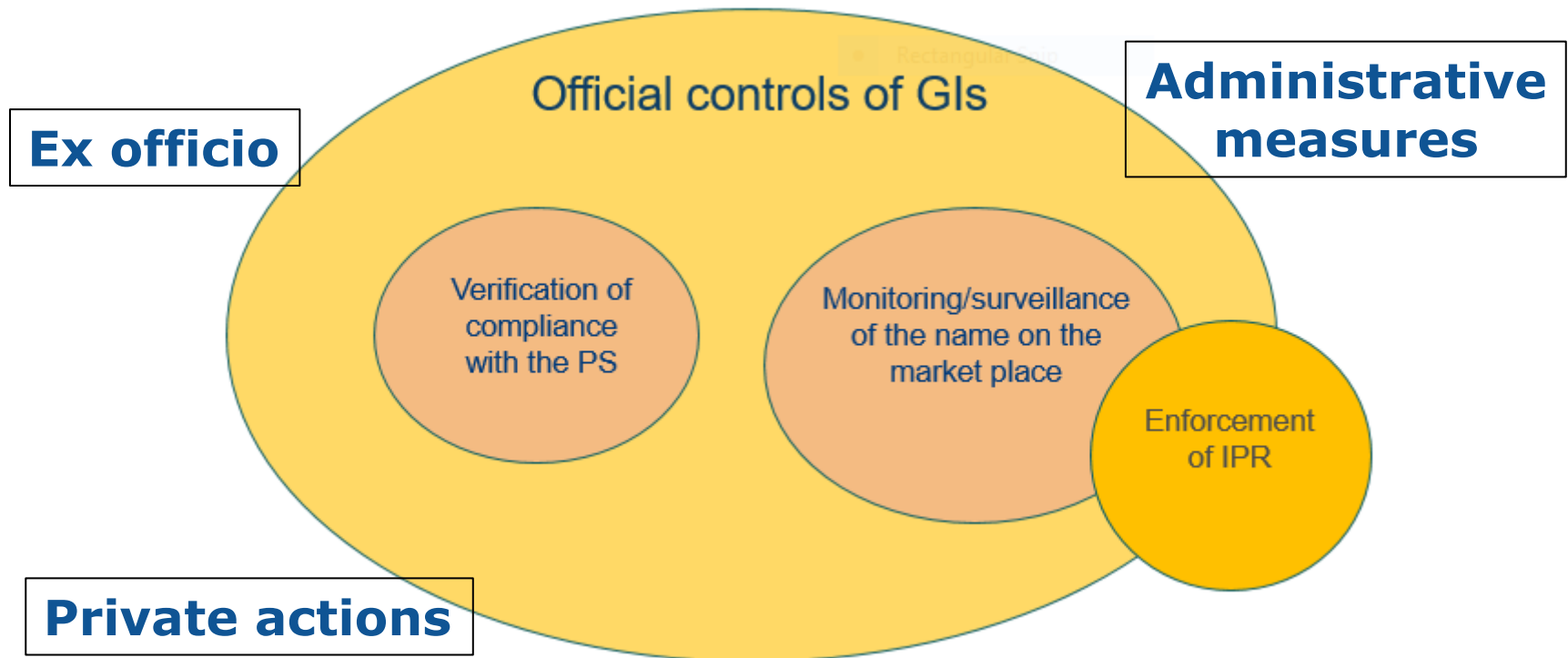


Prosciutto Parma style



Evocation of Feta

# Enforcement and control of Geographical Indications in the EU



## Scope of Protection

- (a) any direct or indirect commercial use
- (b) any misuse, imitation or evocation, even if the true origin of the products or services is indicated or if the protected name is translated or accompanied by an expression such as 'style', 'type', 'method', 'as produced in', 'imitation' or similar;
- (c) any other false or misleading indication
- (d) any other practice liable to mislead the consumer as to the true origin of the product



## Control: production stage (food law)

### Official Controls Reg. 2017/625

Verification of compliance with the product specification – risk based/safety, hygiene, labelling

Controls by **Member State authorities** or **Control body** accredited to ISO/IEC standard 17065

Role of the Commission: audit, share best practice, database AAC

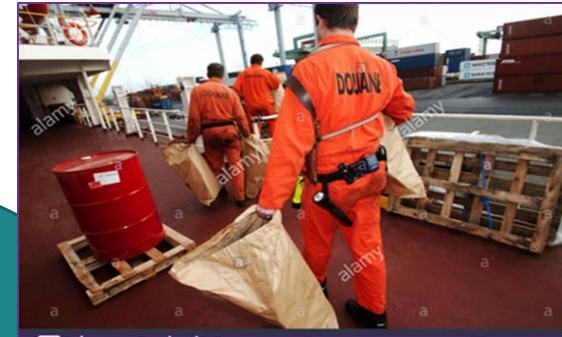




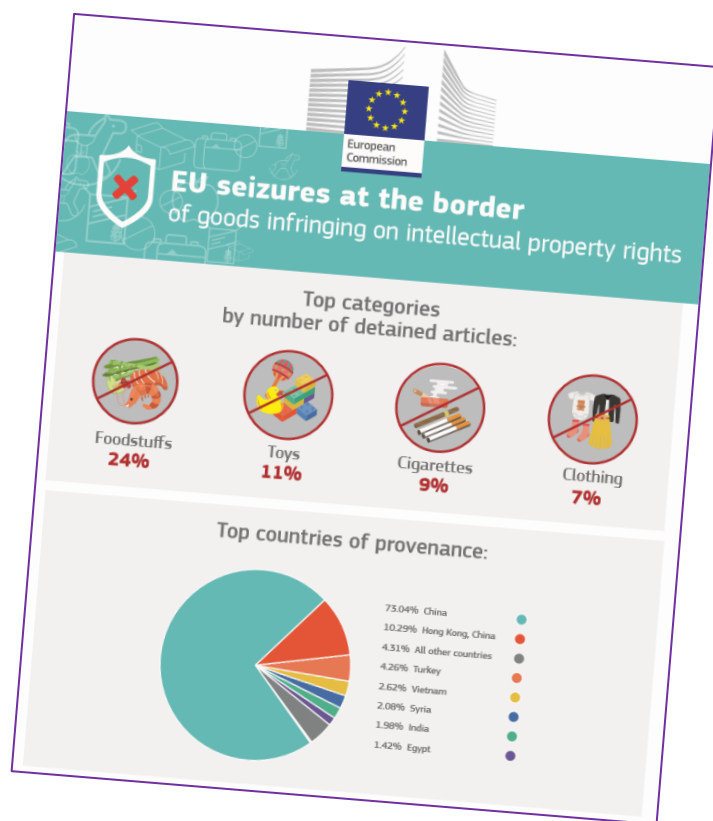
## Enforcement: after production stage

EU market  
Internet  
International market  
Customs  
Goods in transit  
*EU IP offices – TM  
examination*

Guarantee authenticity  
Defend farmer's/producer's  
rights  
Protect local value at global  
scale



# Extent of GI non-compliance and fraud



# What's new?

## EU GI Policy Review

- Attractiveness
- Sustainability
- Empower producer groups
- Enforcement
- Internet - DNS
- Protection
- Simplification

## IP Action Plan

- Fight against counterfeiting and improvement of the enforcement of IP rights (including on-line market)
- Strengthening the protection of GIs
- Considering the feasibility of a GI protection system for non-agricultural products at EU level



# Search for Geographical Indications across the European Union and beyond

Country ▼

Geographical Indication / File number

Search

## **CONCLUSIONS: a true success story!**

- **A collective IPR, which offers extensive protection**
- **A strong marketing tool for farmers and rural areas (distinctive signs, brand recognition, etc...)**
- **Higher sales premium for protected products**
- **A market worth almost EUR 75 billion; over 20% of it comes from the sales outside the EU**
- **A truly European policy under which national products are protected and serve as flagships for the traditional culinary heritage of regions and economic drivers for the national agri-food sector**

# Thank you!

*[Nicolas.Dandois@ec.europa.eu](mailto:Nicolas.Dandois@ec.europa.eu)*