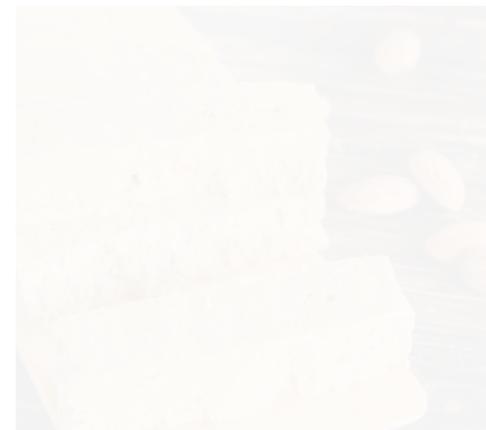


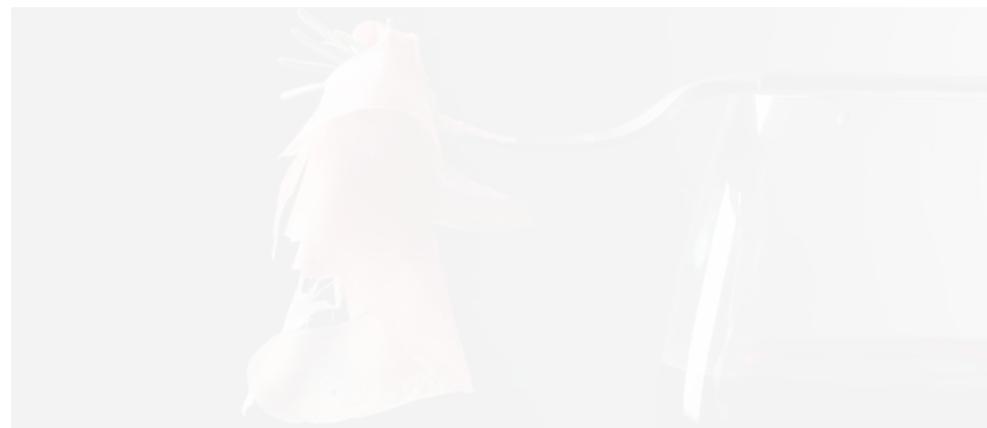
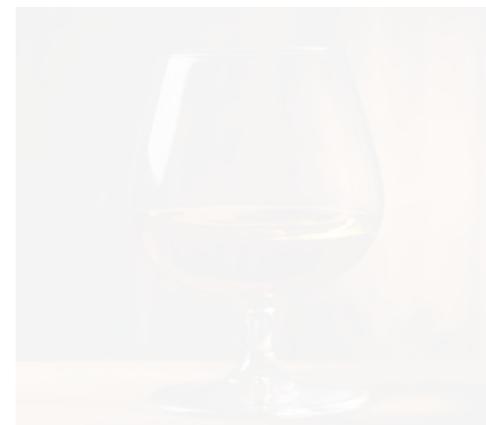


# GEOGRAPHICAL INDICATIONS AND THE EU-SINGAPORE FREE TRADE AGREEMENT (EUSFTA)





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# GEOGRAPHICAL INDICATIONS IN THE EUROPEAN UNION

A geographical indication (GI) is a sign which identifies a good as originating in the territory of a Party, or a region or locality in that territory, where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin. The key schemes for the protection of GIs in the European Union each have distinct requirements regarding the aspects of production that take place and the quantity of raw materials that come from the specified geographical area.





## Protected Designation of Origin (PDO)

PDO products have the strongest connection to the place where they are made. Every part of the production, processing and preparation must take place in the specified geographical area, and the products must adhere to designated specifications.



### Prosciutto Toscano

Ham cured under prescribed conditions in Tuscany from pork raised and slaughtered in the greater region.



### Feta

Cheese produced in a traditional method in particular areas of Greece, with sheep's milk and up to 30% goat's milk, from these areas.

# Geographical indication for spirit drinks and aromatised wine

The GI for spirit drinks and aromatised wine identifies a country, region or locality in which the product derives a particular quality, reputation or other characteristic.



## Cognac

Brandy produced in the Charente and Charente-Maritime region using specified grape varieties and distillation methods.



## Scotch Whisky

Whisky produced in Scotland using prescribed distillation and maturation methods, however the ingredients are not necessarily required to be exclusively sourced in Scotland.



## Protected Geographical Indication (PGI)

PGI products must have quality characteristics or reputation linked to a specified geographical area, and at least one stage of production, processing or preparation must take place in the area.



### Jijona

Nougat produced with raw ingredients from Alicante, Castellón and Valencia.



### Nürnberger Bratwürste / Nürnberger Rostbratwürste

Grilling sausage produced under traditional methods in Nuremberg, but not necessarily using locally-sourced pork.

# BENEFITS FOR SMALL-MEDIUM ENTERPRISES AND ECONOMIC DEVELOPMENT

There are a range of potential benefits for producers participating in a GI scheme, as well as for the broader economy.

GIs function as a valuable tool for differentiating competing goods, as they are a visual means for consumers who associate the product with a certain quality, characteristic or reputation due to its geographical origin.

Due to the association with a particular quality, characteristic or reputation, GI products are able to command a premium price compared to other products in the market. This presents great potential for enterprises in terms of product promotion.

GI schemes also guard against misuse by others that could negatively affect the quality, characteristic or reputation enjoyed by the GI product. Such exclusivity of use ensures the preservation of the premium attributes of the GI product, and safeguards the interests of the consumers.

## Legislated protections

Dedicated GI provisions typically include a registration system, facilities for enforcement, and enable action against infringement.

## Trade

GIs provide protection against counterfeit and non-authentic products, help consumers identify the distinct local qualities of products, and foster new markets for traditional products.

## Producer Associations

Many GIs require a producer association to administer the GI. Producer associations are well-suited for administering quality controls and coordinating marketing activities.

## Sustainable Development

GI systems focus on regional and rural products that typically use local traditional processes, methods and ingredients.



# EU TRADE POLICY AND GIS

The EU supports better protection of geographical indications internationally due to the increasing number of violations throughout the world. The EU is active in multilateral and bilateral negotiations protecting EU geographical indications.

## At multilateral level

The Agreement on Trade-Related aspects of Intellectual Property Rights contains a specific section on geographical indications. It enhances their protection and expands it to a significantly higher number of countries than previous international agreements.

The EU continues to be one of the principal supporters of negotiations on geographical indications in the WTO's Doha Development Agenda.

Negotiations have focused on the establishment of a multilateral register for geographical indications and the extension to all products of the level of protection currently granted to wines and spirits.

## At bilateral level

The EU is negotiating GI protection under two different frameworks: specific stand alone agreements on GIs (e.g. China) and broader trade agreements (free trade agreements).

The EU has concluded a series of free trade agreements that contain important levels of protection for geographical indications, including with Central America, Colombia/Peru/Ecuador, Canada, Japan, Korea, Vietnam and Singapore.

# GI PROVISIONS IN THE EU-SINGAPORE FREE TRADE AGREEMENT (EUSFTA)

SubSection C of the EUSFTA relates specifically to Geographical Indications. It mandates the establishment of systems for the registration and protection of GIs for wines and spirits, agricultural products and foodstuffs by each party. The key articles cover registration, the scope of protection, and the relationship to trademarks, as well as a prescribed list of GIs to be prioritised for registration.

## Registration

A domestic GI register will be established in Singapore for goods originating from either party where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin. The register shall include procedures for examination, objection and cancellation of a GI.

## Scope of Protection

Each party will provide for the prevention of the use of GIs on products that do not in fact originate from the place that the GI refers to. These provisions will apply even where the true origin is indicated on the product, a translation of the GI is being used, or where the GI is used in conjunction with –style or –type expressions. However, there is no obligation for either party to apply GI provisions in the case of the failure of a right holder to renew the registration or maintain use of the GI in the relevant market.

## Trademarks

There are several provisions in the EUSFTA in relation to GIs and trademarks. In the case of trademark applications filed after a GI application in the territory concerned, under certain circumstances the registration of the trademark will be refused if it involves a GI where the goods do not originate from the place that the GI refers to. Conversely, the validity or use of a trademark for which an application is filed, or the same had been used, prior to a GI application shall not be prejudiced by a subsequent similar or identical GI. In addition, there is also a provision conferring no obligation on either party to protect a GI that is liable to mislead consumers in light of a well-known mark.

## General Rules

Additional provisions in the EUSFTA include the waiving of obligations for each party, in certain circumstances, to:

- prevent use of a GI term that is in prior use for at least ten years preceding 1 January 2004;
- protect a GI or a name contained in a GI that is identical to a common term, or the customary name of an existing grape variety;
- prevent the protection of GIs that conflict with a plant variety or animal breed;
- prevent use of a person's name in the course of trade; or
- protect a GI that ceases to be protected under the domestic law of its country of origin.

# GIs TO BE APPLIED FOR PROTECTION UNDER THE EU-SINGAPORE FREE TRADE AGREEMENT (EUSFTA)

There are 196 European Union GI products designated in Annex 10-A of the EUSFTA:

EU Member State	Product Description or Product Class	Geographical Indication
 <b>Austria</b>	Spirit	Jägertee / Jagertee / Jagatee, Inländerrum
	Meat products (cooked, salted, smoked, etc.) - Hams	Tiroler Speck
	Fruit, vegetables and cereals fresh or processed	Steirischer Kren
 <b>Cyprus</b>	Wine	Κομμανδάρια (Commandaria)
	Spirit	Ζιβανία/Τζιβανία/Ζιβάνα/Zivania
 <b>Czech Republic</b>	Beers	České pivo, Budějovické pivo, Budějovický měšt'anský var, Českobudějovické pivo
	Other products of Annex I of the Treaty (spices etc.) - Hops	Žatecký chmel
 <b>Denmark</b>	Cheese	Danablu
 <b>Finland</b>	Spirit	Suomalainen Vodka/ Finsk Vodka / Vodka of Finland, Finnish berry liqueur / Finnish fruit liqueur
 <b>France</b>	Wine	Anjou, Beaujolais, Bordeaux, Bourgogne, Chablis, Champagne, Graves (Graves de Vayres), Médoc, Moselle, Saint-Emilion, Sauternes, Haut-Médoc, Alsace, Côtes du Rhône, Languedoc (coteaux du Languedoc), Côtes du Roussillon, Châteauneuf-du-Pape, Côtes de Provence, Margaux, Touraine, Pays d'Oc, Val de Loire
	Spirit	Cognac, Armagnac, Calvados
	Cheese	Comté, Reblochon / Reblochon de Savoie, Roquefort, Camembert de Normandie, Brie de Meaux, Emmental de Savoie

 <b>France</b>	Fruit, vegetables and cereals fresh or processed - Dried cooked plums	Pruneaux d'Agen / Pruneaux d'Agen mi-cuits
	Fresh fish, molluscs, and crustaceans and products derived there from - Oyster	Huîtres de Marennes Oléron
	Meat products (cooked, salted, smoked, etc.) - Ducks	Canards à foie gras du Sud-Ouest (Chalosse, Gascogne, Gers, Landes, Périgord, Quercy)
	Meat products (cooked, salted, smoked, etc.) - Hams	Jambon de Bayonne
	Oils and fats (butter, margarine, oil, etc.) Olive oil	Huile d'olive de Haute-Provence
	Essential oil -Lavender	Huile essentielle de lavande de Haute-Provence
 <b>Germany</b>	Spirit	Korn / Kornbrand <sup>1</sup>
	Wine	Mittelrhein, Rheinhessen, Rheingau, Mosel, Franken
	Beers	Bayerisches Bier, Münchener Bier
	Other products of Annex I of the Treaty (spices etc.) - Hops	Hopfen aus der Hallertau
	Meat products (cooked, salted, smoked, etc.) - Sausages	Nürnberger Bratwürste / Nürnberger Rostbratwürste
	Meat products (cooked, salted, smoked, etc.)	Schwarzwälder Schinken
 <b>Greece</b>	Bread, pastry, cakes, confectionary, biscuits and other baker's wares	Aachener Printen, Nürnberger Lebkuchen, Lübecker Marzipan, Bremer Klaben
	Spirit	Ούζο/Ouzo <sup>2</sup>
	Wine	Ρετσίνα Αττικής (Retsina of Attiki), Σάμος (Samos)
	Fruit, vegetables and cereals fresh or processed - Table olives	Ελιά Καλαμάτας (Elia Kalamatas)
	Natural gums and resins - Chewing gum	Μαστίχα Χίου (Masticha Chiou)
	Cheese	Φέτα (Feta)

<sup>1</sup>Product of Germany, Austria, Belgium (German-speaking Community)

<sup>2</sup>Product of Greece or Cyprus

 <b>Hungary</b>	Wine	Tokaj
	Spirit	Törkölypálinka, Pálinka
	Meat products (cooked, salted, smoked, etc.)	Szegedi téliszalámi / Szegedi szalámi
 <b>Ireland</b>	Spirit	Irish Whiskey / Uisce Beatha Eireannach / Irish Whisky, Irish cream
 <b>Italy</b>	Other products of Annex I of the Treaty (spices etc.) - Sauces	Aceto balsamico Tradizionale di Modena, Aceto balsamico di Modena
	Meat products (cooked, salted, smoked, etc.)	Cotechino Modena, Zampone Modena, Bresaola della Valtellina, Mortadella Bologna
	Meat products (cooked, salted, smoked, etc.) – Hams	Prosciutto di Parma, Prosciutto di S. Daniele, Prosciutto Toscano
	Cheese	Provolone Valpadana, Taleggio, Asiago, Fontina, Gorgonzola, Grana Padano, Mozzarella di Bufala Campana, Parmigiano Reggiano, Pecorino Romano, Pecorino Sardo, Pecorino Toscano
	Fruit, vegetables and cereals fresh or processed	Arancia Rossa di Sicilia, Cappero di Pantelleria, Kiwi Latina, Lenticchia di Castelluccio di Norcia, Mela Alto Adige / Südtiroler apfel, Pesca e nettarina di Romagna, Pomodoro di Pachino
Spirit	Grappa	
Wine	Chianti, Marsala, Asti, Barbaresco, Bardolino (superiore), Barolo, Brachetto d'Acqui, Brunello di Montalcino, Vino nobile di Montepulciano, Bolgheri Sassicaia, Dolcetto d'Alba, Franciacorta, Lambrusco di Sorbara, Lambrusco Grasparossa di Castelvetro, Montepulciano d'Abruzzo, Soave, Campania, Sicilia, Toscano / Toscana, Veneto, Conegliano Valdobbiadene - Prosecco	
 <b>Poland</b>	Spirit	Polska Wódka/Polish Vodka, Wódka ziołowa z Niziny Północnopodlaskiej aromatyzowana ekstraktem z trawy żubrowej / Herbal vodka from the North Podlasie Lowland aromatised with an extract of bison grass, Polish Cherry
 <b>Portugal</b>	Cheese	Queijo S. Jorge
	Wine	Madeira, Madère or Madera, Port / Porto or Oporto, Douro, Dão, Bairrada, Vinho Verde, Alentejo

	<b>Romania</b>	Wine	Dealu Mare, Murfatlar, Cotnari, Cotești, Panciu, Recaș, Odobești, Târnave
	<b>Slovakia</b>	Wine	Vinohradnícka oblasť Tokaj
	<b>Spain</b>	Wine	Málaga, Rioja, Jerez – Xérès – Sherry, Manzanilla - Sanlúcar de Barrameda, La Mancha, Cava, Navarra, Valencia, Somontano, Ribera del Duero, Penedès, Bierzo, Empordà, Priorat, Rueda, Rías Baixas, Jumilla, Toro, Valdepeñas, Cataluña, Alicante, Utiel-requena
		Spirit	Brandy de Jerez, Pacharán Navarro
		Oils and fats (butter, margarine, oil, etc.) Olive oil	Baena, Sierra Mágina, Aceite del Baix Ebre-Montsía / Oli del Baix Ebre-Montsía, Aceite del Bajo Aragón, Antequera, Priego de Córdoba, Sierra de Cádiz, Sierra de Segura, Sierra de Cazorla, Siurana, Aceite de Terra Alta / Oli de Terra Alta, Les Garrigues, Estepa
		Meat products (cooked, salted, smoked, etc.) - Hams	Guijuelo, Jamón de Huelva, Jamón de Teruel
		Meat products (cooked, salted, smoked, etc.) - Sausages	Salchichón de Vic / Llonganissa de Vic
		Cheese	Mahón-Menorca, Queso Manchego
		Fruit, vegetables and cereals fresh or processed - Citrus	Cítricos Valencianos / Cítrics Valencians
		Bread, pastry, cakes, confectionery, biscuits and other baker's wares - Nougat	Jijona
		Bread, pastry, cakes, confectionery, biscuits and other baker's wares	Turrón de Alicante
Other products of Annex I of the Treaty (spices etc.) - Saffron	Azafrán de la Mancha		
	<b>Sweden</b>	Spirit	Svensk Vodka/ Swedish Vodka
	<b>United Kingdom</b>	Spirit	Scotch Whisky

# DATABASES FOR GI PRODUCTS IN THE EUROPEAN UNION:

Food products	DOOR	<a href="http://ec.europa.eu/agriculture/quality/door/list.html">http://ec.europa.eu/agriculture/quality/door/list.html</a>
Wines	E-Bacchus	<a href="http://ec.europa.eu/agriculture/markets/wine/e-bacchus">http://ec.europa.eu/agriculture/markets/wine/e-bacchus</a>
Spirits	E-Spirit-Drinks	<a href="http://ec.europa.eu/agriculture/spirits">http://ec.europa.eu/agriculture/spirits</a>



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