



Enforcement and control of geographical indications in the EU 欧盟地理标志的执法与管控

26 May 2021

2021年5月26日

GI is the *name* of a product

地理标志是产品名称



Φέτα / Feta PDO (EL) / Φέτα 菲达 PDO (萨尔瓦多)



Arancia Rossa di Sicilia PGI (IT) 西西里岛血橙 PGI (意大利)



Aachener Printen PGI (DE) 亚琛烤饼 PGI (德国)



Liliputas PGI (LT) 利利普塔斯 PGI (立陶宛)



Vinho Verde PDO (PT) 葡萄牙绿酒 PDO (葡萄牙)



Polska Wódka GI (PL) 波兰伏特加 GI (波兰)

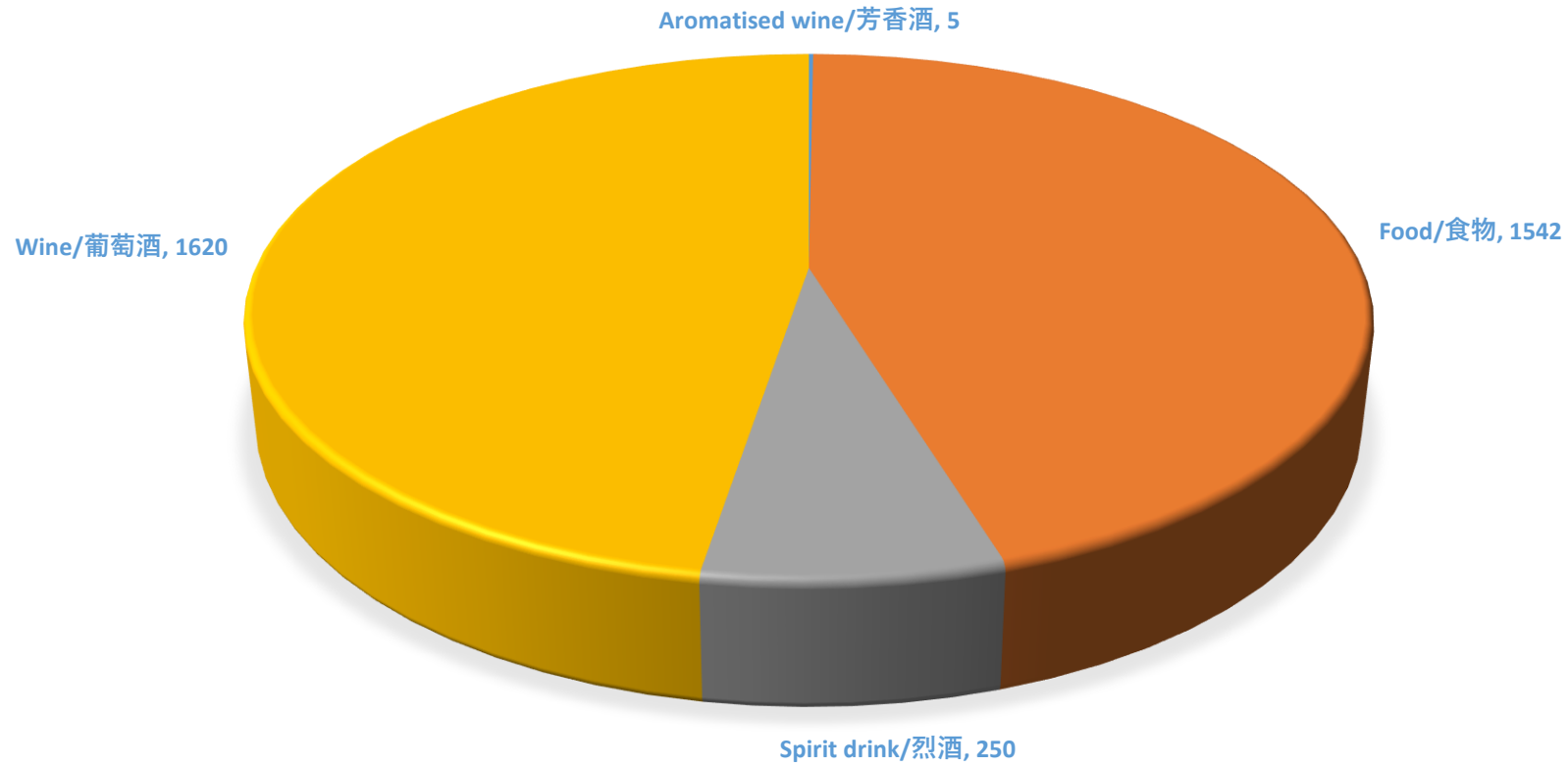
IP rights – a value to be enforced

知识产权具有价值，需执法保护

- ❖ Wines, aromatised wines, foodstuffs & spirit drinks
- ❖ 葡萄酒、芳香酒、食品和烈性酒
- ❖ 3417 GIs in the EU Register
- ❖ 欧盟登记簿共有3417个在册地理标志
- ❖ 1595 GIs protected in the EU under agreements
- ❖ 受协定保护的欧盟地理标志共有1595个
- ❖ Valuable **intellectual property right** (collective right)
- ❖ 具有价值的**知识产权**（集体权利）
- ❖ Protection of the **name** not of the product
- ❖ 保护**名称**而非产品
- ❖ Against any **misuse, imitation or evocation** and any other practice liable to mislead the consumer
- ❖ 反对任何**滥用、模仿或暗示**及任何其他可能误导消费者的做法
- ❖ Right to use: applies to **any operator** within the geographical area respecting product specification
- ❖ 使用权：适用于地理区域内、产品符合规范的**任何经营者**
- ❖ Protection **unlimited in time**
- ❖ 保护期不受限制

Registered GIs (3.417) by Sector – April 2021

按品类划分的已注册地理标志 (3.417) — 2021年4月

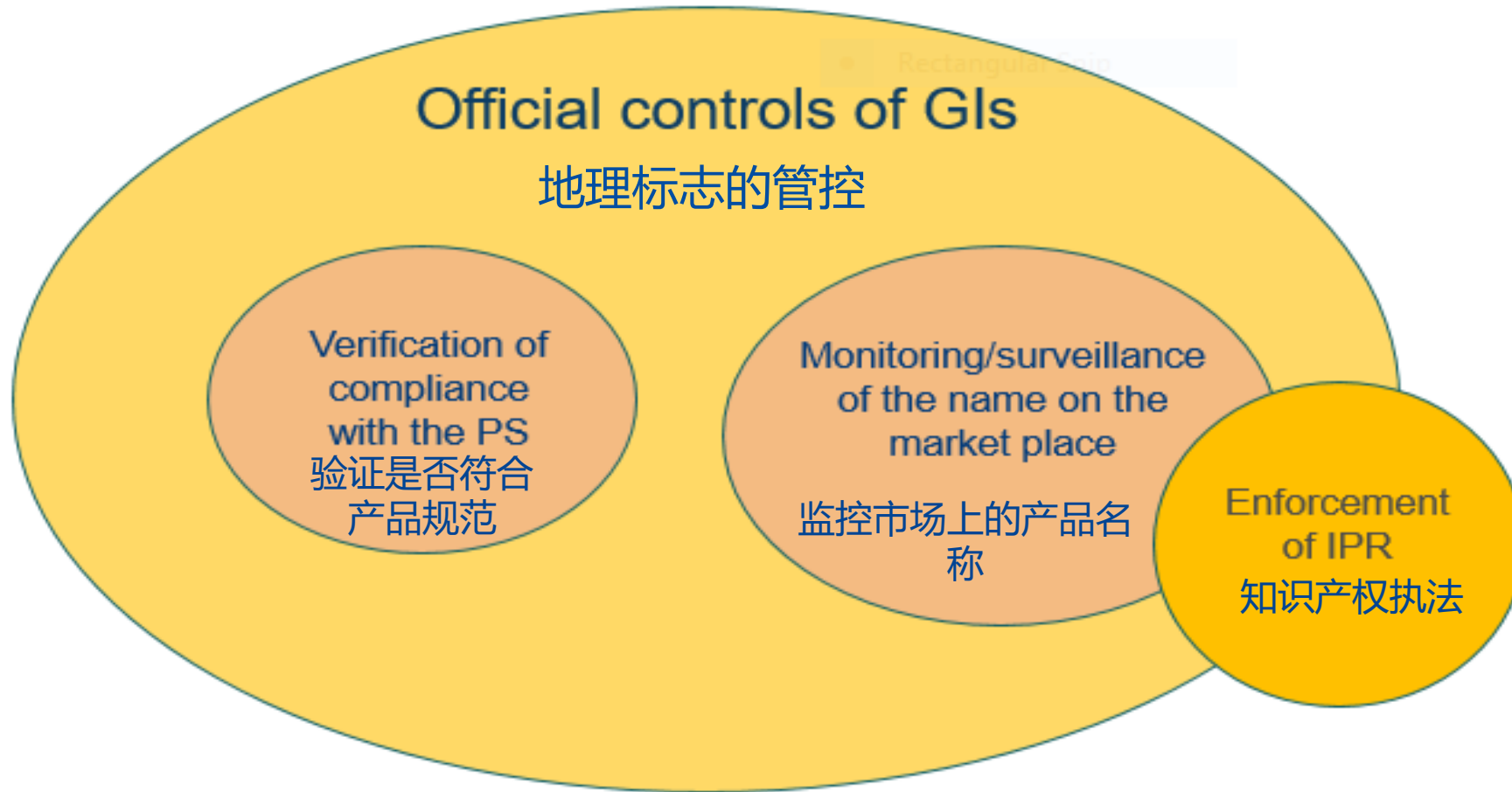


Control and enforcement of GI rights

地理标志权利的执法与管控

« ex officio » / administrative measures / private actions

«依职权» / 行政措施 / 民事诉讼



Control: production stage (food law)

管控：生产阶段（食品安全法）

Official Controls Reg. 2017/625

管控条例 2017/625

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

验证是否符合产品规范——基于风险/安全、卫生、标签

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

由获得ISO/IEC 17065标准认证的**成员国主管部门或相关管控机构**实行管控

Role of the Commission: audit, share best practice & databases

管控委员会：负责审计、经验分享、数据库建设



Enforcement: after production stage

执法：生产阶段后

EU market
欧盟市场

Internet
互联网

International market
国际市场

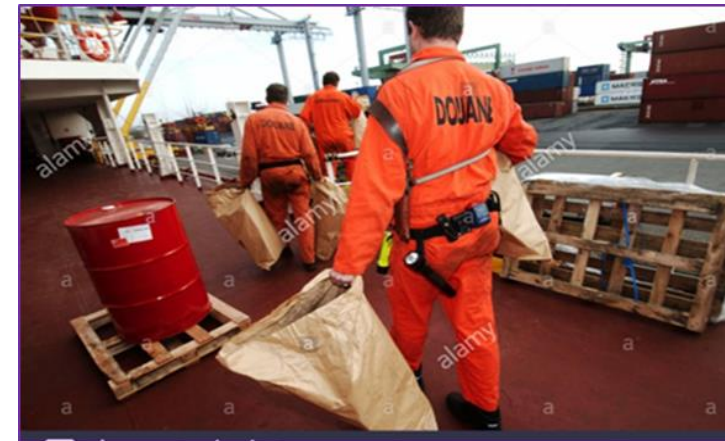
Customs
海关

Goods in transit
在途商品

EU IP offices – TM
examination

欧盟知识产权局——商标
审查

Guarantee authenticity
Defend farmer's/producer's rights
Protect local value at global scale
确保产品真实性
维护农民/生产者权利
本土价值，全球保护



Control on the marketplace

市场管控

- Legislation requires EU Member States (MS) to check GIs from all MS + non EU countries placed on the market
法规要求欧盟成员国检查所有欧盟及非欧盟国家投放市场的的地理标志
- List of Competent Authorities: https://ec.europa.eu/info/food-farming-fisheries/food-safety-and-quality/certification/quality-labels_en
主管部门名录： https://ec.europa.eu/info/food-farming-fisheries/food-safety-and-quality/certification/quality-labels_en
- Risk-based approach
基于风险管理的方法
- Mainly controls on the labelling/traceability
主要针对产品标签/可追溯性进行管控

Protection of non-EU GIs – through agreement

通过协定保护非欧盟地理标志

- The level of protection granted to the GI of the non-EU country is defined in each agreement
给予非欧盟国家地理标志的保护级别遵循各协定中的定义
- Member States are responsible for ensuring the protection of the partner country GI, including *ex officio* protection, within their territory, unless stated otherwise in the agreement
在其领土范围内，成员国有责任保护伙伴国的地理标志（包括依职权保护），协定另有规定的除外
- Implemented by the national competent authorities
由各国主管部门具体实施

Connecting producer groups for better enforcement 对接生产团体，加强执法

IP Enforcement Portal → *customs, police/law enforcement bodies, right holders, etc*

知识产权执法门户 → 海关、警方/执法机构、权利人等

DG SANTE → *Administrative Assistance and Cooperation System (AAC)*

欧盟健康和食品安全总司 → 行政协助与合作系统 (AAC)

✦ Detecting and fighting food fraud is the responsibility of the Member States

查办和打击食品欺诈是成员国的责任

✦ The AAC is an IT system developed/managed by the EC. An EU country can contact the competent authorities of another EU country and share information in a secure manner, which can lead to administrative actions, administrative sanctions or judicial proceedings.

AAC是由欧盟开发/管理的IT系统。欧盟成员国主管部门可以相互对接、以安全方式共享信息，推进相关行政诉讼、行政制裁或司法程序。

Glview

GI producer groups
地理标志生产团体

eAmbrosia
public



36 agreements
36项协定



MS or third countries input and control
成员国或非欧盟国进行录入和管理



GI-View



Enforcement 执法

IP Enforcement Portal (IPEP)

知识产权执法门户 (IPEP)

DG SANTE

欧盟健康和食品安全总司



What is Glview? 什么是Glview?

Glview

English ▾



Rectangular Snip

Search for Geographical Indications across the
European Union and beyond

搜索欧盟和其他地区的地理标志

Country ▾
国家

Geographical Indication / File number
地理标志/档案编号

Search
搜索

GI Glview

New Tab

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🔍

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GIview

English ▾

5206 results found

🗺️

📄

Country ▾

Geographical Indication / File number 🔍

List

★ Map

Filters

Product type

☐ Wine

☐ Food

☐ Spirit drink

☐ Aromatised wine

Filter by categories 🔗

Priority date ⓘ

from 📅

to 📅

GI type ⓘ

☐ PDO 🟠

☐ PGI 🟢

☐ GI 🟢

Status ⓘ

☐ Applied

☐ Published

☐ Registered

☐ Protected under agreement

Basis of protection ⓘ

☐ EU registers

☐ Agreements

✖ Reset filters

+

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Leaflet

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Private area

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GI ID card - Rioja 地理标志身份证——里奥哈

GI Glview

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Rioja



Country/ies of origin	Type		
Spain	Protected Designation of Origin (PDO)		
Priority date	File number	Product type	Basis of protection
13/06/1986	PDO-ES-A0117	Wine	EU register
Status	Product category		
Registered	Wine		
Legal instrument of protection at EU level			
Article 107 of Regulation (EU) No 1308/2013			
Single document/Summary/Technical file			
Ares(2014)3947482			
Publications			
Ares(2019)5913687			
Official Journal C 152, 07.05.2020			
Official Journal L 379, 13.11.2020			
Amendment pending			

Country authorities

**MINISTERIO DE AGRICULTURA, PESCA Y ALIMENTACIÓN** Secretaría General de Agricultura y Alimentación, Dirección General de Industria Alimentaria, Subdirección General de Control de la Calidad alimentaria y Laboratorios Agroalimentarios
Pº Infanta Isabel, 1
28071 Madrid
Spain
<https://www.mapa.gob.es/es/>

Producer groups

Consejo Regulador de la DOP "Rioja"
C/ Estambrera, 52
26006 Logroño
Spain
📞 34 941 50 06 48
<https://www.riojawine.com/>

Control bodies

CONSEJO REGULADOR DE LA DENOMINACIÓN DE ORIGEN

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GI ID card – Rioja 地理标志身份证——里奥哈

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tmdn.org/giview/gi/EUGI00000003061

Protections under international agreements

Albania Armenia Australia Bosnia and Herzegovina Canada Chile China Colombia Costa Rica Ecuador El Salvador Georgia Guatemala Honduras Iceland Japan Kosovo Liechtenstein Moldova Montenegro Nicaragua Norway Panama Peru Serbia Singapore South Africa South Korea Switzerland Ukraine United States Vietnam

DENOMINACIÓN DE ORIGEN CALIFICADA RIOJA
52 c/ Estambreira 26006 Logroño España

Japan
Agreement
[Agreement between the European Union and Japan for an Economic Partnership, OJ L 330, 27.12.2018](#)
Name in agreement
Rioja, リオハ
Status
Protected under agreement
Type of GI as in agreement
GI
Entry into force date
01/02/2019
Link to legal decision / instrument of first protection
[Agreement between the European Union and Japan for an Economic Partnership, OJ L 330, 27.12.2018](#)
Date of entry into force of legal decision / instrument of first protection
01/02/2019
Classification in agreement
Alcoholic beverage

Map of the geographical area

Type here to search

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Thank you !

感谢聆听！

