Protection of GI in EU:

Policy, Legal Framework

Online Workshop
Implementing Best Practices of Protection Systems for GI in EU, 24 March 2021

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DG Agriculture and Rural Development
European Commission
GI is the *name* of a product

- Φέτα / Feta PDO (EL)
- Arancia Rossa di Sicilia PGI (IT)
- Aachener Printen PGI (DE)
- Liliputas PGI (LT)
- Vinho verde PDO (PT)
- Polska Wódka GI (PL)
Registered GIs by EU Member State – March 2021

<table>
<thead>
<tr>
<th>Country</th>
<th>Registered GIs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Italy</td>
<td>870</td>
</tr>
<tr>
<td>France</td>
<td>745</td>
</tr>
<tr>
<td>Spain</td>
<td>358</td>
</tr>
<tr>
<td>Greece</td>
<td>275</td>
</tr>
<tr>
<td>Portugal</td>
<td>190</td>
</tr>
<tr>
<td>Germany</td>
<td>171</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>69</td>
</tr>
<tr>
<td>Romania</td>
<td>69</td>
</tr>
<tr>
<td>Hungary</td>
<td>65</td>
</tr>
<tr>
<td>Croatia</td>
<td>55</td>
</tr>
<tr>
<td>Austria</td>
<td>53</td>
</tr>
<tr>
<td>Slovenia</td>
<td>44</td>
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<tr>
<td>Czechia</td>
<td>43</td>
</tr>
<tr>
<td>Poland</td>
<td>36</td>
</tr>
<tr>
<td>Belgium</td>
<td>35</td>
</tr>
<tr>
<td>Netherlands</td>
<td>34</td>
</tr>
<tr>
<td>Slovakia</td>
<td>23</td>
</tr>
<tr>
<td>Cyprus</td>
<td>21</td>
</tr>
<tr>
<td>Lithuania</td>
<td>14</td>
</tr>
<tr>
<td>Denmark</td>
<td>11</td>
</tr>
<tr>
<td>Ireland</td>
<td>9</td>
</tr>
<tr>
<td>Finland</td>
<td>9</td>
</tr>
<tr>
<td>Sweden</td>
<td>5</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>3</td>
</tr>
<tr>
<td>Latvia</td>
<td>3</td>
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<tr>
<td>Malta</td>
<td>1</td>
</tr>
<tr>
<td>Estonia</td>
<td>1</td>
</tr>
</tbody>
</table>
Registered GIs by Sector - March 2021

- Food, 1606
- Wine, 1621
- Spirit drinks; 249
- Aromatised wines; 5
Evolution of PDO/PGI Food Registrations (non-EU countries included) – March 2021
EU schemes

Agricultural products and foodstuffs – Regulation (EU) No 1151/2012

Wines – Regulation (EC) No 1308/2013

Spirits – Regulation (EU) 2019/787

Aromatised wines – Regulation (EU) No 251/2014
**GI links a place and a product**

Defined geographical area

Specific product

Link between them

- Thym de Provence PGI (FR)
- Rioja PDO (ES)
- Czosnek galicyjski PGI (PL)
Intellectual property protection

- Valuable **intellectual property right** (collective right)
- Protection of the **name** not of the product
- Against any **misuse, imitation or evocation** and any other practice liable to mislead the consumer
- Right to use: applies to **any operator** within the geographical area respecting product specification
- Protection **unlimited in time**
EU quality designations

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

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

**GI**: Geographical Indication (Spirits & aromatised wines)
Transparency of information

The EU applies full transparency on GIs protected in the EU originating in Member States and Third Countries (Direct Applications)

e-ambrosia (EU geographical indications register)

Benefits

Rural IPR

Guarantee authenticity

Protect local value at global scale
GI 'agricultural products' agreements in force or concluded

GI 'wine/spirits' agreement in force or concluded

GI agreements under negotiations

36 agreements in force or concluded

Protected:
- 1,593 non-EU GIs,
- 40,222 EU GIs in non-EU countries

14 negotiations ongoing
Non-EU countries (Food, Wine, Spirit drinks)

- 215 names registered (direct application)

- 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)
Examples from non-EU Countries

Darjeeling and Café de Colombia:
Trade mark combined with GI protection

Tea plantation in Darjeeling, Kirsten Frisk
Cafetales Colombia By Triángulo del Café Travel
Controls and enforcement of GIs

Official controls of GIs and TSGs

- Verification of compliance with the PS
- Monitoring/surveillance of the name on the market place
- Enforcement of IPR
Official Food Controls

Verification of compliance with product specification

Controls by Member State authorities or Control body accredited to ISO/IEC standard 17065 (product certification bodies)
Enforcement: after production stage

EU Market
Internet
International market
Customs
Goods in transit
Extent of GI non-compliance and fraud
Evocations: unfair competition examples

Non genuine Low cost   Non genuine high cost

Fetta Cheese
Traditional
180 g 6.35 oz

Fetta Cheese
Goat’s Milk
180 g 6.35 oz
One of the possible solutions

**Rebranding**

**Advantages**

- No evocation
- No confusion
- No unfair competition
- Can be marketed
What is Giview?

Search for Geographical Indications across the European Union and beyond

https://www.tmdn.org/giview/
## GIview: Ukraine

<table>
<thead>
<tr>
<th>Product name</th>
<th>Product type</th>
<th>Country</th>
<th>Priority date / Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Новий Світ / Nový Svit (Novy Svet)</td>
<td>Wine, Other</td>
<td>Ukraine</td>
<td>01/01/2016 Protected under agreement</td>
</tr>
<tr>
<td>Сонячна Долина / Soniachna Dolyna (Soniachna Dolina)</td>
<td>Wine, Other</td>
<td>Ukraine</td>
<td>01/01/2016 Protected under agreement</td>
</tr>
</tbody>
</table>
EU GIs protected in TC

Prosciutto di Parma

Country authorities
Ministero delle Politiche Agricole Alimentari e Forestali
Via XX Settembre, 49
40126 Bologna
Italy
www.agroalimentare.gov.it

Prosciutto di Parma, EU GI

Producer groups
Conseil d'Etat del Prosciutto di Parma
Largo P. Gallanti, 11
40121 Bologna
Italy
+39 051 26911
www.prosciuttoapp Parmigiano

Control bodies
CSQA Certification Ltd (CSQA)
parmesan@csqa.ltd
www.csqa.ltd

Protected in the following countries
Austria
Bosnia and Herzegovina
Canada
China
Colombia
Costa Rica
Ecuador
El Salvador
Georgia
Guatemala
Honduras
Ireland
Japan
Korea (South)
Korea (North)
Moldova
Nicaragua
Panama
Peru
Serbia
Singapore
South Africa
South Korea
Sweden
Ukraine
Vietnam
GI View

GI producer groups

eAmbrosia public

36 agreements

MS or 3C input and control

enforcement

EUIPO Enforcement Portal (ex-EDB)

customs
police
anti-fraud
judiciary
shop inspectorate
rural policy

retailers
traders
TM applicants

research
publicity

DG SANTE AAC System (AA and FF)
Thank you for your attention

Запитання?