



Organization for an International  
Geographical Indications Network

## **Geographical Indications - An asset for the European Union**

### **oriGIn EU proposals to reinforce the European Quality Policy**

oriGIn EU is the European branch of oriGIn, the global alliance of Geographical Indications (GIs): [www.origin-gi.com](http://www.origin-gi.com). Its mission is to represent its members — individual GIs groups as well as national GIs associations — before the EU institutions.

The role of GIs is widely demonstrated at the level of producers and consumers. As a result, over the years, GIs played a central role in the European Union (EU) policies. Consumers' expectations, though, for instance in terms of quality and rural development, are rapidly changing. The ongoing debate on the future of the CAP shows a strong demand for a renewed policy, which takes into account the contribution of agriculture not only to the economy, but also to the achievement of environmental and social objectives. Meanwhile, the proliferation of bilateral free trade agreements negotiated by the EU makes it urgent to continue to seek solid protection for the European GIs in foreign jurisdictions.

Since the entry into force of the Lisbon Treaty on 1 December 2009, the European Parliament is a co-legislator for issues concerning agriculture. This has given the Members of the Parliament (MEPs) a crucial role in defining the Common Agricultural Policy (CAP) as well as other measures affecting GIs.

**In this scenario, oriGIn EU and its members wish to continue working with the MEPs, as well as with the representatives of Member States, the Commission and other relevant European actors. Our objective is to engage in a constructive dialogue to allow the implementation of a stronger EU Quality Policy, so that GIs can further develop and meet the expectations of producers, consumers and the society as a whole.**

## What are GIs?

A GI is a sign used on products that have a precise geographical origin and possess qualities, notoriety or characteristics essentially due to that place of origin. It is a type of intellectual property right recognized internationally, which protects names against imitations and misuses in the country of origin as well as in a number third countries where recognition is secured.

### Definitions in the EU legislation

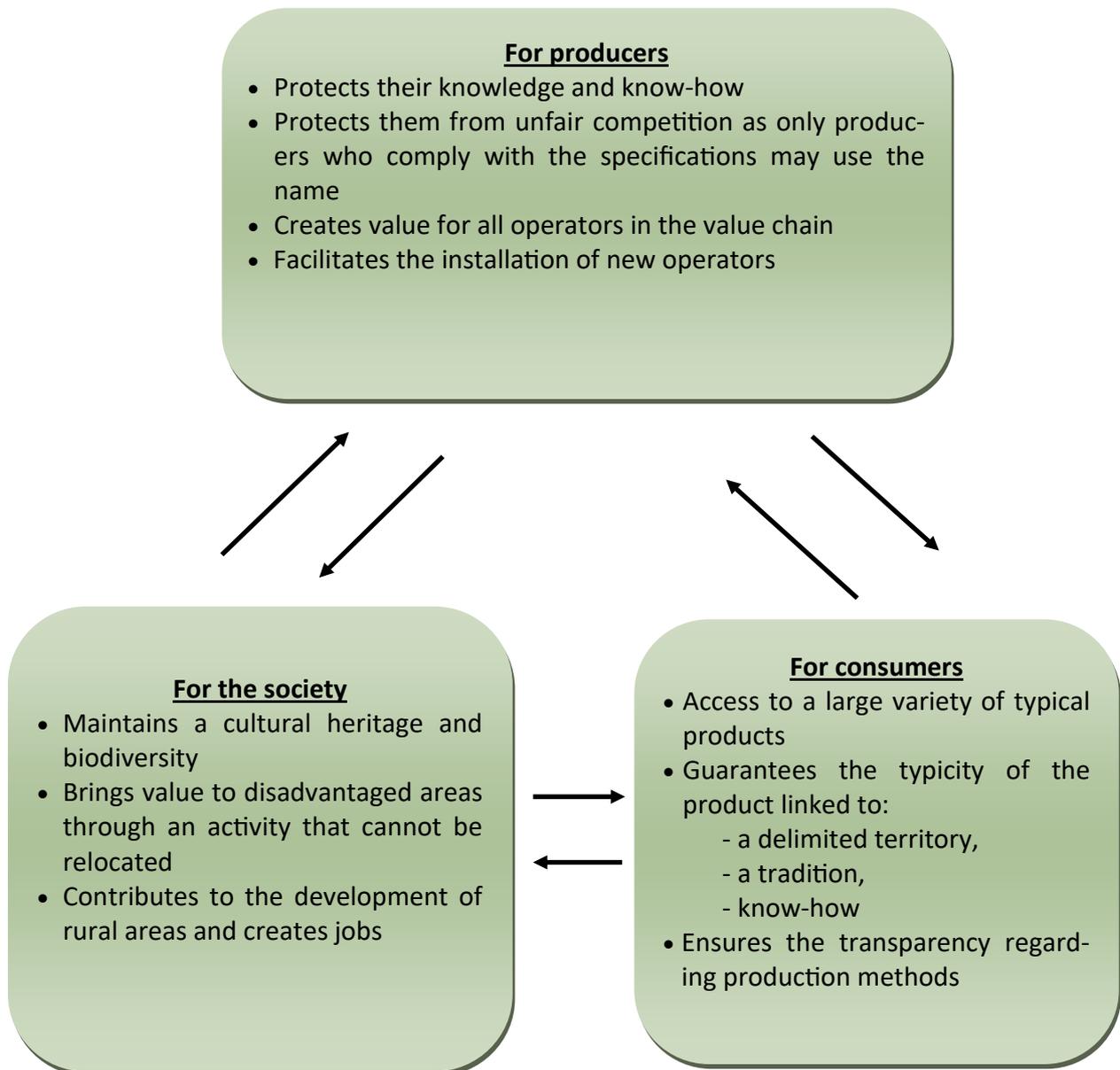
- Protected Designations of Origin (PDOs), available for wines and agricultural products: a sign which identifies a product produced, processed and prepared in a defined geographical area using recognised know-how. Such products owe their characteristics exclusively or essentially to their place of production and the know-how of local producers.
- Protected Geographical Indications (PGIs), available for wines and agricultural products: a sign which identifies a product whose quality, reputation or other characteristics are essentially attributable to its geographical origin.
- Geographical indications (GIs), available for spirits: a sign which identifies a product where a given quality, reputation or other characteristic is essentially attributable to its geographical origin.



At the end of 2018, 3872 EU PDOs, PGIs and GIs were protected in the EU, including 1942 wines, 1652 agricultural products and foodstuffs, 273 spirits and 5 aromatised wine products. GIs represent today some €55 billion of sale value and more than 15% of the total Union food and drink export.



## Benefits deriving from GIs



## oriGIn EU priorities for the future of GIs in the EU

The EU is the world leader in quality products and sustainable rural development. To maintain its leadership, and allow GIs to continue to thrive, oriGIn EU has identified 5 priorities upon which the European institutions should focus their attention in the following years:



## 1. Enable GIs to meet consumers' expectations in terms of quality and sustainability

### **What is at stake?**

The debate on the future of the Common Agricultural Policy (CAP) has generated strong demand from consumers and non-governmental organisations for a renewed policy, which takes into account the impact of agriculture on the environmental and public goods in general.

Based on the current GIs definitions (territory - history - know-how), the notion of quality focuses exclusively on the products' organoleptic characteristics. As a result, any modification of a product's specification must be justified along those lines. Such an approach does not provide enough flexibility to meet the expectations of consumers, producers and the society as a whole.

Production methods, particularly in terms of environmental impact, sustainability of resources, animal welfare and value chain governance (fair remuneration of farmers, quality of life, etc.) are becoming important requirements for consumers and retailers. Private labels have understood these challenges and are developing their own standards integrating such components.

GIs are part of the broader framework of rural development policy and a major pillar of the European food system sustainability. It is therefore essential to make GIs definitions more flexible, to allow groups wishing to do so, to take into account the expectations of consumers and of the public at large in terms of economic, social and environmental sustainability.

### **We call on the future European Parliament and the EU institutions to:**

- Make the quality concept for GIs more flexible to better take into account consumer expectations;
- Allow the notion of sustainable development to be included in GIs products' specifications;
- Allow economic, social and environmental considerations to be included in GIs products' specifications.

## 2. Strengthen the role of GIs as a tool for rural development

### **What is at stake?**

The benefits of the GIs system in European rural areas, including disadvantaged ones, are well established. The added value generated through GIs allows producers and other actors in the value chain to thrive, ensure the continuity over generations and fully participate in the dynamisms of their geographical areas. GIs are fully in line with the objectives of the EU rural development policy. The FAO (the Food and Agriculture Organization of the United Nations) considers GIs one of the pillars of its rural development policy.

The equilibrium is fragile though, as changes in production systems and market conditions occur rapidly. As a result, the CAP should provide support for GIs producers to maintain collective commitments and, in the long term, strengthen value chains. Support should be provided for controls, access to information, legal protection and promotion.

In addition, the dynamism of GIs is organised around groups, which bring together the relevant economic actors in a given geographical area, define products' specifications as well as ensure legal and promotional activities. It is therefore crucial to strengthen the role of GIs groups.

Without the correct implementation of existing rules, the rural development potential of GIs is diminished. As a result, it is important to ensure a more coherent implementation of relevant GIs regulations by the EU Member States, in particular the recently approved spirit drinks Regulations.

The GIs sector would also benefit from the systematic collection of market data. Limited updated figures are today available, both at the European level and in third markets. This does not facilitate an impact assessment of the implemented policies.

### **We call on the future European Parliament and the EU institutions to:**

- Clarify and strengthen the role and prerogatives of GIs groups;
- Include GIs groups as beneficiaries of operational programmes under "other sectors" interventions in the future CAP. GIs groups should have the possibility to implement specific programmes for coordinated activities within their value chains;
- Strengthen advice and support to value chains actors for cooperation activities. In this respect, costs related to controls and legal activities should be covered (at least for small groups), while funds for promotional initiatives increased;
- Ask the European Commission to periodically collect and publish consolidated economic data concerning the GIs sector.

### 3. Simplify administration procedures, including GIs recognition

#### **What is at stake?**

Today, the recognition and management of GIs entails significant administrative burdens for groups. While it is important to maintain a thorough procedure for the recognition of GIs, it seems appropriate to simplify the ones concerning the modification of existing products' specifications. Such procedures can be extremely long (for an amendment's request to be approved by the European Commission services it can take years). This is detrimental to groups and the economic actors they represent.

As part of the CAP reform, the European Commission has proposed to amend the Regulation for GIs wines as well as the Regulation for GIs agricultural products and foodstuffs. Some proposals go in the right direction as they would simplify the modifications of products' specifications. These provisions would speed up the processing time by the Commission and give Member States more responsibility in the management of the system. Consolidating GIs systems while reducing the administrative burden for operators would make GIs more attractive to both consumers and producers.

#### **We call on the future European Parliament and the EU institutions to:**

- Support the 2018 provisions concerning the amendments to products' specifications proposed by the Commission in the framework of the new CAP . This would allow more subsidiarity, facilitate the work of groups and speedup procedures;
- Ensure the preservation of the EU character of the GI system: oriGIn EU firmly believes that the concept of GI is stronger when it is applied consistently throughout the Union and that a level playing field is ensured between the different Member States. While we are in favour of more subsidiarity, we believe that the system must remain truly European. To this end, clear guidelines for the competent national administrations which will be given additional responsibility in the management of GIs systems, should be prepared by the Commission.

## 4. Improve legal protection and controls of GIs in the EU

### **What is at stake?**

GIs are intellectual property rights. GI products are subject to misappropriations, resulting in significant economic losses for European producers. According to a EUIPO [study](#) (Infringement of protected geographical indications for wine, spirits, agricultural products and foodstuffs in the European Union - 2016), the negative impact of counterfeiting is very significant, accounting for 9% of the total market for GI products (an estimated loss of €4.3 billion). EU consumers are directly impacted with a damage of €2.3 billion per year.

Protecting GIs means ensuring consumers about the authenticity of products covered by the scheme while remunerating producers' hard work. The protection of GIs is a key element of the EU policy. In the European GIs regulations, infringements include the direct use of protected names as well as the evocation of those through explicit or implicit references. Such practices are likely to mislead the consumer as to the real origin and qualities of products they wish to purchase. Likewise, the EU legislation gives Member States the obligation to contribute in the enforcement of GIs rights, through the so-called administrative protection.

The reform of the CAP represents an opportunity to strengthen GIs protection as well as to ensure that administrative protection is implemented in a coherent way across Member States. In this respect, while the European Commission has made some interesting proposals in the framework of the new CAP (enhanced GIs protection for counterfeit goods in transit in the EU and those sold through electronic commerce) it is important to go further. GI groups must be able to better defend themselves against third parties who want to use, weaken and dilute the reputation of GIs. It is therefore necessary to introduce stricter measures concerning the misuse of GIs in Internet domain names as well as GIs used like ingredients.

Likewise, concerning the protection of GIs against evocation, it is important that national courts and trademark offices apply in a harmonised way the relevant rules of the EU regulations, in line with the Court of Justice of the European Union (CJEU) case law.

### **We call on the future European Parliament and the EU institutions to:**

- Strengthen GIs protection to cover more effectively attempts by third parties to take advantage of reputation. Registered names shall be protected against the exploitation of their reputation as well as the weakening and dilution it;
- Strengthen GIs protection to cover Internet domain names registrations. Registered names shall be protected against bad faith registration of second-level domain names, i.e. website names;
- Promote awareness campaigns in member States to facilitate an harmonized implementation of the relevant EU regulations, in particular with respect to GIs evocation and administrative protection.

## 5. Increase the protection of GIs in trade negotiations with third countries

### What is at stake?

Over the years, the EU has concluded numerous free trade agreements with third countries, which include a chapter on the protection of GIs. This has proven to be extremely important to ensure access to these new markets as well as to develop the export of European GIs outside the EU. GIs remain though one of the most controversial issues in many negotiations, with strong opposition from some countries, including the United States. Faced with this difficulty, the European Commission has, on several occasions, made concessions by accepting exceptions to the full protection of important European GIs names in third countries. It is therefore crucial that, in the future, the European Commission remains committed to ensuring a high level of protection for GIs in trade agreements.

### Important negotiations are currently ongoing:

- Negotiations on an EU/MERCOSUR Free Trade Agreement
- Negotiations on a free trade agreement between the EU and New Zealand
- Negotiations on a free trade agreement between the EU and Australia
- EU/Chile Agreement: Modernisation of the trade component of the Association Agreement
- EU/Turkey pilot project (“20+20”) on Geographical Indications
- EU/China Agreement on Geographical Indications

The European Parliament can and should play an important role in these negotiations. It is important to ensure maximum protection of European GIs under these trade agreements, both in terms of number of GIs as well as length of protection. Likewise, the European Parliament should rapidly ratify concluded agreements, like the FTAs with Vietnam and Mexico.

### We call on the future European Parliament and the EU institutions to:

- Affirm at the opening of any new negotiation the objective of obtaining a high level of protection equivalent to the one granted by the European legal framework and a system open to all GIs;
- Promote a systematic involvement of GIs groups in the negotiations. They should be able to contribute to the lists of GIs proposed for protection before they are exchanged with third countries. Likewise, a systematic exchange of information during negotiations should be ensured. Finally, groups should be informed of compromise solutions proposed concerning the GIs they represent and given the opportunity to express their views.

## Relevant EU Regulations

REGULATION (EU) No 1151/2012 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 21 November 2012 on quality schemes for agricultural products and foodstuffs

REGULATION (EU) No 1308/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007

REGULATION (EU) No 2019/787 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 17 April 2019 ON THE DEFINITION, DESCRIPTION, PRESENTATION AND LABELLING OF SPIRIT DRINKS, THE USE OF THE NAMES OF SPIRIT DRINKS IN THE PRESENTATION AND LABELLING OF OTHER FOODSTUFFS, THE PROTECTION OF GEOGRAPHICAL INDICATIONS FOR SPIRIT DRINKS, THE USE OF ETHYL ALCOHOL AND DISTILLATES OF AGRICULTURAL ORIGIN IN ALCOHOLIC BEVERAGES, AND REPEALING REGULATION (EC) No 110/2008

REGULATION (EU) No 251/2014 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 26 February 2014 on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products and repealing Council Regulation (EEC) No 1601/91



Organization for an International  
Geographical Indications Network

**Contact:**

oriGIn EU  
Square Ambiorix 18  
1000 Brussels-BE  
T: +32.2.742.99.83  
M: [eu.office@origin-gi.com](mailto:eu.office@origin-gi.com)  
<https://www.origin-gi.com/>