



Members' Voice (I)

The GI debate gathers momentum in the United States

by Mr. Pat Kole, Vice President of the Idaho Potato Commission and Board Member of AOPA



On October 13, 2012, the initial meeting of the American Origin Products Association (AOPA) took place in Fayetteville, Arkansas. The following producer groups were represented at the meeting: the Ginseng Board of Wisconsin, the Idaho Potato Commission, the Intertribal Agriculture Council, the Kona Coffee Farmers Association, the Missouri Northern Pecan Growers, the Napa Valley Vintners Association and the Maine Lobstermen's Association. In addition, other producer groups have stated that they will be joining AOPA.

The meeting was divided into two sessions: an academic/educational session followed by a roundtable discussion of those who had joined AOPA. The group was provided with several background presentations including the Geographic Indication Registration Process in the EU by Mr. Giulio Menato, Agriculture Counselor of EU Embassy to the US; Japanese Reflections on the Role of Geographical Indications in Rural Development in Japan by Mr. Katsuhiko Saka, Japanese Embassy to the US; and Producer Roles and Benefits in the Champagne AOC by Mr. Sam Heitner, Bureau of Champagne, Washington DC.

The afternoon discussion among producer groups was animated and lively. All groups face similar challenges related to preserving product identity, preventing product « look alikes », preserving local traditions, remaining sustainable while being competitive in the market place and financing research projects. The lack of greater uniformity and transparency in the structure and operation of intellectual property registration and enforcement systems was a particular hot button topic.

The group intends to aggressively conduct out reach to other producer organizations and conduct a follow up meeting next year.

Further information is available from :

Ms. Beth Barham, Ph.D.
Executive Director
American Origin Products Association
aopa.office@gmail.com

Members' Voice (II)

oriGIn China Office at the 13th Western China International Fair

By Dr. Yun Zhenyu, China National Institute of Standardization (CNIS), oriGIn China Office



Established in 2000, the Western China International Fair (hereinafter referred to as WCIF) is an international fair co-hosted by 15 State Ministries and Commissions, including the National Development and Reform Commission, the Ministry of Commerce and 12 autonomous regions and municipalities.

Under the theme “Deepening International Cooperation, Accelerating Western Development”, the 13th WCIF was held in Chengdu, from September 26 to 30, 2012. The

major issues discussed have been: internationalization, specialization and marketing strategies for companies; reinforcing regional exchanges and cooperation; and strengthening economic growth through trade and investment.

With a total exhibition area of 200,000 square meters, six halls and 36 pavilions, the 13th WCIF attracted 4,598 enterprises from 56 countries and regions, as well as 28 domestic autonomous regions and municipalities. The number as well as exhibition areas of foreign exhibitors accounted respectively for 36.7 % and 39.5 % of the total.

The General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ) and the People's Government of the Sichuan Province jointly set up the “Geographical Indication Products Special Hall”, bringing together 113 enterprises authorized under the Chinese law to produce GIs from 17 autonomous regions and municipalities. In this respect, oriGIn China office played an active role in promoting oriGIn and its objectives. Key leaders, including Sun Dawei, Vice Minister of AQSIQ, Tian Zhuang, Deputy Director of the Department of Science and Technology of AQSIQ and Pei Xiaoying, Deputy Chief Inspector of AQSIQ visited the “Geographical Indication Products Special Hall” and were informed about the activities of the oriGIn China office.

For more information, please contact:

Dr. Yun Zhenyu
China National Institute of Standardization(CNIS)
yunzy@cnis.gov.cn

International Affairs

At the Global Level

oriGIn: a new donor supports the Worldwide GIs Compilation

oriGIn is currently working on an ambitious project aimed at finalizing an online compilation of all Geographical Indications (GIs) protected in the world.

On 19 October, the Swiss Federal Office for Agriculture (FOAG) decided to join the group of donors supporting this project. The financial support of the FOAG will be devoted to carry out research concerning the European countries not members of the European Union (EU) as well as the GIs protected in foreign jurisdictions through bilateral and multilateral treaties.

Napa Valley: Landmark Recognitions Obtained in Brazil and China

On 4 October, 'Napa Valley' was registered as a Geographical Indication in Brazil, a country which represents one of the economic engines of South America with a population of nearly 206 million and is the 13th largest wine-producing country in the world.

Furthermore, on 11 October the People's Republic of China announced that 'Napa Valley' was recognized with Geographic Indication (GI) status in such an important and rapidly expanding market. Napa Valley is the first wine name outside China to be recognized as a GI under the system supervised by the General Administration of Quality Supervision, Inspection and Quarantine.

'Napa Valley' is also protected as a GI in the following foreign markets: the EU, India, Thailand and Canada.

Further information at:
http://www.napavintners.com/trade/tm_3_release_detail.asp?ID_News=3621042

And:
http://www.napavintners.com/trade/tm_3_release_detail.asp?ID_News=3421228

New Zealand: Discussion on a GI Law

The New Zealand Winegrowers (NZW) is keen to see a GI law introduced in New Zealand.

On 8 October, the members of the Hawke's Bay Winegrowers Inc., which produce wines in the famous Hawke's Bay in New Zealand, affirmed publicly that a recent strategic review of the national wine industry organisation identified there was need to protect and enhance the value of New Zealand wines' reputation. Hawke's Bay wines in particular suffer from counterfeiting in foreign jurisdictions.

More information at:
<http://www.voxy.co.nz/business/hawkes-bay-protect-wines/5/137040>

Café de Colombia: Finance and New Technologies at the Service of GIs

On October 8, the Colombian Coffee Growers Federation (FNC) announced that it will soon launch a new version of its Price Protection Contract (CPP). The CPP is a financial instrument aimed at allowing the country's producers to reduce risks against the volatility of international coffee prices or negative variations of Colombia's peso to the dollar exchange rate, thereby protecting their income.

The new CPP will allow coffee growers to buy the option to set a minimum price (corresponding to the coffee price at the time the contract is concluded or 10% lower or higher), for up to 100% of the estimated harvest value for the second, third and fourth months after the date he/she takes the instrument, with a maximum limit of 50 loads (125 kgs of coffee) per month. Each of these guaranteed minimum prices has a different cost or premium. If domestic prices have risen at the moment a producer effectively sells his harvest, the option is not exercised but the producer would be better off by selling at the higher market price. On the contrary, if domestic prices have fallen, the producer will have a guaranteed minimum price.

To get his protection contract paid, a producer will have to show, through an invoice or an equivalent legal document issued by a formal buyer, that he sold his coffee at a price effectively lower than the protected price. *“We continue to promote instruments which allow producers to sell their harvest at a price that each one estimates is favorable, according to his particular production costs; and this way we give him the opportunity to take advantage of high-price situations,”* said Mr. Julián Medina, the FNC’s Chief Financial Officer.

Another important element is that the FNC technological platforms will play a key role in this exercise. Producers in fact will be able to make this kind of decisions from their farms, by using their mobile phones and deducting the instrument cost from their Intelligent Coffee Grower ID Card. This is an FNC issued debit that works as a checking account that provides banking services to growers. Over 420 thousand of Colombia’s 563,000 growers have these cards and would have direct access to buy the instrument. This is quite convenient given that most coffee growers do not necessarily have private means of transportation and often times live in remote areas, not close from urban centers.

For more information:

http://www.federaciondecafeteros.org/particulares/en/sala_de_prensa/detalle/Colombian_Coffee_Growers_Federation_launches_new/

Tequila: A Busy Month Between the Registration in a Key Market and the International Parmigiano Reggiano Award

On 15 October, ‘Tequila’ was registered as a GI in the Russian Federation, making the Mexican ‘denominacion de origen’ protected in 39 jurisdictions around the world (corresponding to 95% of the countries where the product is commercialized).

For more information:

<http://www.mexicanbusinessweb.mx/sector-de-servicios-en-mexico/comercial/otorga-rusia-denominacion-de-origen-al-tequila/>

Moreover, on 26 October, the International Parmigiano Reggiano Award was assigned to the ‘Consejo Regulador del Tequila’ during the ‘Salone de Gusto’, the flagship Slow Food event held in Turin on 25-28 October. The Award represents recognition for a product that possesses a strong link with its geographical area and which producers are recognized at an international level for their efforts to protect the product’s geographical name.

More information at:

http://www.parmigianoreggiano.com/news/2012/salone_gusto_with_parmigiano_reggiano.aspx

SIAL/ Salone del Gusto: success in the Fight Against GI Infringements

On 24 October, products infringing the PDOs ‘Pecorino Romano’ and ‘Parmigiano Reggiano’ were found at the Paris SIAL Food Fair, one of the most important and prestigious international agri-food fairs.

The two legitimate GI groups asked the Directorate General for Competition, Consumption and Repression of Fraud - the French authority competent for the protection of PDO and PGI - to carry out official controls to verify the compliance with the specifications of the PDO and to impose the penalties provided for such violations. Following this, the ‘Consorzio del Parmigiano Reggiano’ obtained the immediate withdrawal from the exhibition of ‘Parmesan’ (which according to the consolidated EU case law represents an evocation of the PDO) produced by three U.S. companies and by an Egyptian one.

Likewise, advertising material mentioning the PDO “Mozzarella du Bufala Campana”, exposed by a producer not respecting the PDO product specification were seized at the “Salone del Gusto”, in Turin (Italy).

More info at:

http://www.agi.it/food/notizie/201210241513-eco-rt10215-alimentare_pecorino_romano_dop_denuncia_falso_al_sial_di_pariqi

And:

http://www.parmigianoreggiano.com/news/2012_2/con-sortium_obtained_withdrawal_parmesan_from_sial.as_px

And (only in Italian):

<http://lastampa.it/2012/10/31/cronaca/falsa-mozzarella-di-bufala-campana-sequestro-al-salone-del-gusto-MLNW1PaUYQV3Dq1qZuDbdL/pagina.html>

Switzerland: Culinary Heritage Inventory

The Culinary Heritage Inventory of Switzerland, conducted between 2005 and 2008, includes 400 products. In 2007, the OFAG commissioned AGRIDEA to analyze the possibility to register the products listed in the Inventory as AOC ('Appellation d'Origine Contrôlée') and as IGP ('Indication Géographique Protégée').

Such study and a guide for filing an application for registration are now available (only in French, German and Italian) at:

<http://www.blw.admin.ch/themen/00013/00085/00094/index.html?lang=fr>

Bilateral / Regional Issues

US-Panama: Entry Into Force of the Free Trade Agreement

On 31 October, the US-Panama Free Trade Agreement will enter into force. It covers the immediate or progressive elimination of tariffs for consumer and industrial products, as well as agriculture products.

The text of the FTA can be found at: <http://www.ustr.gov/trade-agreements/free-trade-agreements/panama-tpa/final-text>

EU: Bilateral Negotiations to Start with Several Countries

On 19 October, the European Council, the EU institution where the Member States' government representatives sit, published the conclusions of

the European Council which took place on 18-19 October. In this document, it called for 'an agreement to be reached on the negotiating directives for a Free Trade Agreement (FTA) with Japan with a view to launching negotiations in the months ahead and for the finalisation of FTA negotiations with Canada and Singapore in the coming months'. It also committed 'to working towards the goal of launching in 2013 of negotiations on a comprehensive transatlantic trade and investment agreement'. Further information on page 7 of the following document: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/133004.pdf

Meanwhile, on 23 October, the European Parliament adopted a 'resolution on trade and economic relations with the United States' in which it calls for negotiations to be launched in the first half of 2013. See: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2012-0388+0+DOC+XML+V0//EN>

On 25 October, it adopted a 'resolution on EU trade negotiations with Japan' calling for the launch of the negotiation of a FTA with Japan.

Further information at:

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+20121025+TOC+DOC+XML+V0//EN>

EU Affairs

GI Policy

Foreign GIs on the Common Market: 1st Vietnamese GI registered in the EU

On 11 October, the 'Phú Quốc', an extract of fish from Viet Nam, was registered as PDO in the EU. It is the 1st Vietnamese GI registered in the EU.

For further information:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:277:0001:0002:EN:PDF>

Cancellation Request for a German PGI

On 24 October, the cancellation request of the registration of the German PGI 'Wernesgrüner Bier' was published in the Official Journal of the EU.

The cancellation was requested by the legal successor of the original applicant and user of the PGI itself. The reasons given for the cancellation request is that the PGI 'Wernesgrüner Bier' has now a single user which no longer wishes to bear the inspection costs. Statements of objection to the cancellation must reach the Commission before the 24 April 2013.

For further information:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:322:0013:0013:EN:PDF>

Study on GI protection for non-agricultural products in the European Union

oriGIn is part of a Consortium including Insight Consulting and REDD which is preparing a study on GI protection for non-agricultural products in the European Union for the European Commission's Directorate General for Internal Market and Services.

The purpose of the study is to provide an analysis of existing legal frameworks which protect non-agricultural GIs in the 27 EU Member States as well as the EEA countries (Iceland, Norway and Liechtenstein) and Switzerland. The study aims at collecting evidence concerning the economic impact of non-agricultural GIs in the EU, as well as an assessment of stakeholders' needs. On this basis, recommendations for an EU policy on geographical indications for non-agricultural products will be provided. The study will be finalised at the end of the year.

In order to prepare these recommendations, a workshop was organised on 9 October in Brussels, with a number of the Consortium's expert and the representatives of the EUs. oriGIn participated actively in this meeting.

Other Policies

'Milk Package' Fully in Force

On 3 October, the regulation on contractual relations in the milk and milk products sector, the so-called 'Milk Package', entirely entered in force. This regulation was published on 30 March, and some elements entered into force on 2 April while others did only 6 months later, on 3 October. The provisions which finally entered in force cover notably the possibility for the groups in charge of the PDO and PGI cheeses to manage the growth of the production volumes. The measures will apply until mid-2020. The Commission will write reports in 2014 and 2018 on the market situation and the implementation of the measures.

The regulation can be found at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:094:0038:0048:EN:PDF>

Promotion of Agricultural Products: Publication of Legislative Proposals Delayed

In October, the European Commission announced that the publication of the legislative proposals on the promotion of agricultural products will be delayed until the second quarter of 2013.

Legislative proposals were supposed to be published at the end of 2012, following the adoption by the Commission of a Communication on the subject in March 2012.

News on GI Registrations

Registrations

- "Agneau de lait des Pyrénées" (PGI) France – 03/10
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:268:0001:0002:EN:PDF>
- "Štajersko prekmursko bučno olje" (PGI) Slovenia – 03/10

- <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:268:0003:0004:EN:PDF>
- “Pimiento de Fresno-Benavente” (PGI) Spain – 10/10
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:275:0023:0024:EN:PDF>
 - “Phú Quốc” (PDO) Viet Nam – 11/10
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:277:0001:0002:EN:PDF>
 - “Jagnięcina podhalańska” (PGI) Poland – 11/10
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:277:0003:0004:EN:PDF>
 - “Filderkraut / Filderspitzkraut” (PGI) Germany – 24/10
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:294:0001:0002:EN:PDF>

Modification Requests

- “Roncal” (PDO) Spain – 29/09
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:294:0008:0013:EN:PDF>
- “Ternasco de Aragón” (PGI) Spain – 29/09
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:294:0023:0027:EN:PDF>
- “Miel de La Alcarria” (PGI) Spain – 06/10
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:302:0024:0030:EN:PDF>
- “Mont d'Or” / “Vacherin du Haut-Doubs” (PDO) France – 06/10
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:302:0016:0023:EN:PDF>

- “Pomodoro di Pachino” (PGI) Italy – 12/10
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:308:0017:0022:EN:PDF>
- “Casatella Trevigiana” (PDO) Italy – 24/10
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:322:0004:0008:EN:PDF>

Registration Requests

- “Αγουρέλαιο Χαλκιδικής” (Agoureleo Chalkidikis) (PDO) Greece – 29/09
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:294:0014:0018:EN:PDF>
- “Trote del Trentino” (PGI) Italy – 29/09
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:294:0019:0022:EN:PDF>
- “Fraises de Nîmes” (PGI) France – 02/10
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:296:0009:0013:EN:PDF>
- “Garbanzo de Escacena” (PGI) Spain – 05/10
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:300:0019:0023:EN:PDF>
- “Pastel de Tentúgal Portugal” (PGI) Portugal – 06/10
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:302:0031:0035:EN:PDF>
- “Aceite de Navarra” (PDO) Spain – 24/10
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:322:0009:0012:EN:PDF>

Cancellation Request

- “Wernesgrüner Bier” (PGI) Germany – 24/10
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:322:0013:0013:EN:PDF>