

**A significant case:
Aceto Balsamico di Modena.**

**origin breakfast meeting on
“*The Transatlantic Trade and Investment
Partnership (TTIP):
Expectations of GI producers from both sides
of the Atlantic*”**

**Washington DC
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PLAN

- I. Aceto Balsamico di Modena: several centuries of history
- II. Consorzio Tutela Aceto Balsamico di Modena
- III. The protection of the GI Aceto Balsamico di Modena
- IV. Expectations of Aceto Balsamico di Modena's producers and their Consorzio from TTIP

I. Aceto Balsamico di Modena: several of history.

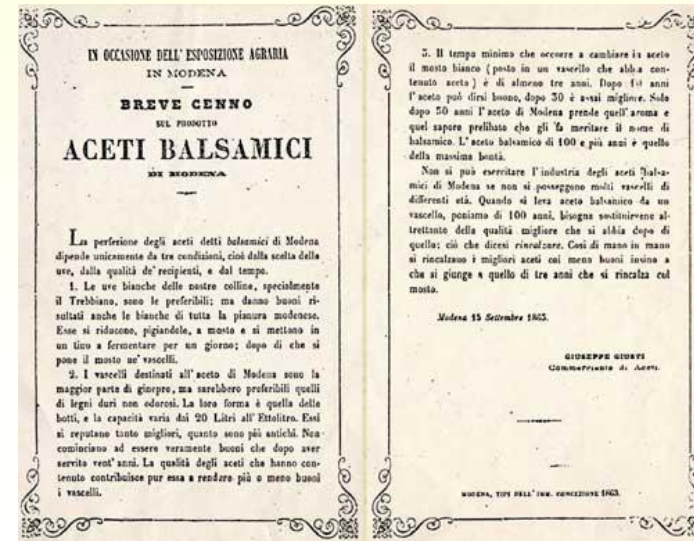
- The “*terroir*”: its core!
- Provinces of Modena and Reggio Emilia (Emilia-Romagna region)
- Frequent rains, thick autumn and winter fogs: decisive role for the ABM aging



I. Aceto Balsamico di Modena: several centuries of history

A “*taste*” of history

- Year 1046: Holy Roman Emperor Henry III
- Year 1289: Estensi Court at Modena
- Year 1556: “La Grassa”
- Year 1747: the consolidate presence of the word “Balsamic” alongside the word vinegar



I. Aceto Balsamico di Modena: several centuries of history.

Economic, social and environmental impact (2013)

- **72: ABM producers (“*acetaie*”)**
- **300: operators involved in the production chain**
- **1.000: people involved in the whole chain**
- **87.000.000 litres: total production**
- **600.000.000 €: (consumption) turnover**
- **92%: export**



I. Aceto Balsamico di Modena: several centuries of history.

- **grape must**, partially fermented and/or boiled and/or concentrated obtained from some vine varieties (Lambrusco, Sangiovese, Trebbiano, Albana, Ancellotta, Fortana and Montuni);
- addition of a quantity of vinegar aged for at least 10 years and of at least 10 % of wine vinegar;
- acidification and aging take place in high-quality wood receptacles (such as oak, in particular sessile oak, chestnut, mulberry or juniper);
- minimum aging period: 60 days;
- three years aging: “*invecchiato*” (aged);



II. Consorzio Tutela Aceto Balsamico di Modena

- Established in 1994
- Voluntary non-for-profit body in charge of the defense, promotion and safeguarding of the PGI Aceto Balsamico di Modena;
- Charged by the Italian Ministry for agricultural, food and forestry policies in 2014 for the fulfilment of its functions;
- The following operators may become members of the Consorzio, provided that they are under official controls for the PGI ABM:
 - grape growers;
 - operators producing ABM **established in the area of origin**;
 - bottlers;

<http://www.consorziobalsamico.it>

III. The protection of the GI Aceto Balsamico di Modena.

- **Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPs) of 15 April 1994**
- **European union (28 countries)**
- **Italy, November 18, 2004**
- **Protected Geographical Indication (PGI) under Regulation (EU) No 1151/12, as registered since July 24, 2009**



III. The protection of the GI Aceto Balsamico di Modena.

- **Lisbon agreement for the Protection of Appellations of Origin and their International Registration of October 31, 1958**
- 28 contracting countries
- Aceto Balsamico di Modena registered on November 12, 2012

III. The protection of the GI Aceto Balsamico di Modena.

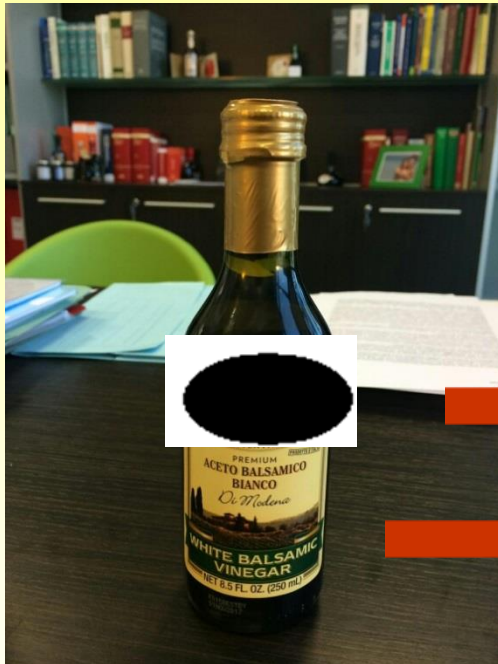
- **USA**
- Certification marks
- Problematic issues:
 - i) very high administrative costs
 - ii) prohibitive judicial costs
 - iii) misleading indications of origin
 - iv) unfair competition act within the meaning of Article 10*bis* of the Paris Convention

III. The protection of the GI

Aceto Balsamico di Modena.

- In respect of GIs, forbidden misleading indication as to geographical origin of the good and unfair competition acts (art. 22 of TRIP's)

GI: ACETO BALSAMICO DI MODENA



AUTENTICO (?)

ACETO BALSAMICO BIANCO (?)

Di MODENA (?)

From which geographical area does this product originate?

Could the consumer think that it originates from the ACETO BALSAMICO DI MODENA geographical area?

Could such indication be an act of such a nature as to create confusion with ACETO BALSAMICO DI MODENA?

III. The protection of the GI

Aceto Balsamico di Modena

- In respect of GIs, forbidden misleading indication as to geographical origin of the good and unfair competition acts (art. 22 of TRIP's)



GI: ACETO BALSAMICO DI MODENA

AUTENTICO (?)

CREMA DI ACETO BALSAMICO

ITALIAN LANDSCAPE

TRADITIONAL BALSAMIC (?)

From which geographical area does this product originate?

Could the consumer think that it originates from the ACETO BALSAMICO DI MODENA geographical area?

Could such indications be an act of such a nature as to create confusion with ACETO BALSAMICO DI MODENA?

IV. Expectations of Aceto Balsamico di Modena's producers and their Consorzio from TTIP

- Aceto Balsamico di Modena's producers expect from TTIP, nothing less and nothing more, than compliance with TRIPS's agreement!!!
- Hopefully, some support in GI enforcement, for protection of both producers, and consumers!

GRAZIE MILLE!!!