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WIRSPA and ORIGIN

Online Forum on Spirits GIs

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OVERVIEW OF TRENDS IN THE EU

- The European Commission (the EU Executive) proposed in May 2022 to amend the EU law on the registration and protection of Spirits GIs;
- The proposal is currently being examined by the two houses of the legislature (the European Parliament -705 directly elected members, and the Council of the European Union – the 27 Member States);
- The new law is expected to be adopted late 2023 to come into force in early 2024.

OBJECTIVES OF THE REFORM

- To make GI law more consistent for the different GI products (wines, spirits and agricultural products and foodstuffs);
- More efficient registration (role for the EUIPO for registration of third country GIs??);
- Better protection (especially, but not only, on the internet);
- To increase sustainability of production;
- To better inform consumers about GIs (and to increase the take up of all GIs by consumers);
- To empower producers and producer groups to ensure inclusiveness and a better return for their production.

KEY MESSAGES FOR THIRD COUNTRY SPIRITS GIs - I

EU conceptions of GIs determine many global developments:

- WHY? because registration, in the EU, and other key markets (more and more copying the EU approach), is a key motive for home registration;
- This means that local registration should have EU rules in mind when designing specifications, controls, producer groups, sustainability criteria;
- EU will increase financial support for registration in third countries.

KEY MESSAGES FOR THIRD COUNTRY SPIRITS GIs - II

The new focus is on i) producer groups, ii) controls, iii) sustainability

For non-EU GIs, seeking protection in the EU, there will be the need to:

- Reinforce and empower producer groups: i) to be inclusive, ii) to be pro-active to ensure compliance with the specifications in production, iii) to protect the GI in markets;
- Improve the (legally required) production control systems by their governments;
- Respond to the emerging sustainability challenges (social, economic and environmental): even if sustainability criteria remain voluntary (at present), EU consumers demand it.

KEY MESSAGES FOR THIRD COUNTRY SPIRITS GIs - III

EU Spirits GIs are 'geographical indications' only (i.e. not designations of origin)

- 'Geographical indications' do **not** require that all production steps take place in the country of origin:
 - this applies both to the sourcing of raw materials, and
 - to the possibility of partial ageing and bottling in the place of consumption;
- Registration can be on the basis of Reputation (however, other characteristics and qualities must be mentioned).

Thank you for your attention