



Protection of Geographical Indications and Appellations of Origin in the Republic of Moldova: recent developments

December 2023



Regulatory framework - general

- Law No. 66/2008 on the **Protection of Geographical Indications, Appellations of Origin and Traditional Specialties Guaranteed**;
- Law No.101/2014 on approving **national symbols associated with PGI, PDO and TSG**;
- GD/RM No. 610/2010 on approval of the **Regulations on the procedure of filing, examination and registration of geographical indications, appellations of origin and traditional specialties guaranteed**;
- GD/RM No. 644/2010 on appointing **competent authorities empowered with attributions and responsibilities related to the products with DO, GI and TSG**;
- GD/RM No. 915/2016 on approval of the **Regulation on enforcement of intellectual property rights by customs authorities**, that establishes procedures for the protection of IPR, including for products of GI, DO and TSG designation;



Regulatory framework: wines/alcoholic beverages/agri-food

WINES

- Law No. 57/2006 **on vineyards and wines**, establishing the framework for production of wines, including wines with registered designation of origin and registered geographical indication;
- GD/RM No. 356/2015 on approval of the **Regulation on the organization of the wine market**, that establishes requirements related to the raw materials, the used technological procedures, the conformity evaluation procedures, and the specific requirements for market surveillance, wine production traceability, etc. essential for the wines with GI and DO.
- MAFI Order No. 50 of April 4, 2012, on approval of the **demarcation of wine - growing areas for the production of wines with a protected designation of origin**;
- MAFI Order No. 12 of January 12, 2016, on **delimitation of wine-growing areas for the production of wines with a protected GIs**;



Regulatory framework: wines/alcoholic beverages/agri-food

ALCOHOLIC BEVERAGES

- Law no. 1100/2000 regarding the **manufacture and circulation of ethyl alcohol and alcoholic production.**
- GD/RM No. 589/2023 on approval of the **Regulation on the definition, description, presentation and labeling of beverages containing alcohol.**
- GD/RM No. 741/2017 on approval of the **Regulation on the definition, description, presentation and labelling of aromatized wine products.**

AGRIFOOD

- MAFI Order No. 149 of 04.08.2015 on the **procedure for approval of the specifications of agricultural products and foodstuffs with GI, DO, TSG.**



Governmental support

- National Fund for Agriculture and Rural Area Development established by the Law No. 276/2016 and GD No. 455/2017 on Distribution of Funds of the National Fund for Agriculture and Rural Development:
 - Compensation of up to 50% of the cost for the registration of GI, DO or TSG (under sub-measure 1.9);
 - increased compensation is provided (under Sub-measure 1.2) for the producers of technical grapes for the vineyards established in the area of a GI for the production of the GI wine.
- The agriculture producers, through the professional associations in the field of agriculture, can benefit from a compensation of 50% from the cost of participation in exhibitions, fairs, but not more than 100 thousand lei per beneficiary).
- The producers of GI wines and wines products are entitled to benefit from additional support provided through the National Office for Vine and Wine.



On-going Legal Developments

- ❑ An evaluation of Law 66/2008 was conducted by the Parliament in the first semester of 2022 and a series of measures for improving the GI system were identified.
- ❑ A dialogue was established with all interested stakeholders in order to identify the best solution for overpassing the deficiencies, in particular to enhance the mechanisms of official control and certification of GI products and to clarify the competencies of the relevant authorities;
- ❑ On November 21, 2023, the announcement was launched about the public consultation of the draft law for amending the Law No. 66/2008 on the protection of Geographical Indications, Appellations of Origin and Traditional Specialties Guaranteed, in particular for: (i) ensuring the implementation of Geneva Act; (ii) improving the mechanisms of official control and certification of GI products;



On-going Legal Developments

- Revision of the competencies of authorities responsible for official controls and certification, in particular by amending the GD No. 644/2010 on appointing competent authorities empowered with attributions and responsibilities related to the products with DO, GI and TSG and competent authorities responsible for official controls on the conformity of the products.
- Revision of the GD/RM No. 356/2015 on the approval of the Regulation on the organization of the wine market.
- Elaboration of the Regulation on the procedures for approval of technical specifications and verification of compliance with the technical specification of agrifood products with protected designations of origin, protected geographical indications and traditional specialties guaranteed (initiated by MAFI) ;



GIs protected in Moldova (statistics 2023)

- ✓ 3648 - on the bases of the EU - Moldova Association Agreement;
- ✓ 66 - based on continuity of protection under EU-Moldova AA and listed in UK-Moldova Agreement annexes XIII - C and D);
- ✓ 929 - on the bases of the Lisbon Agreement;
- ✓ 46 - on the bases of the Georgia - Moldova Agreement;
- ✓ 27 - registered through the national procedure, of which 9 foreign GIs and 18 local GIs.

Note: The local GIs refer to alcoholic beverages (3), wines (6), fresh and processed fruits and plants (5), cheese (2), meat (1) and honey (1).



MD- GIs protection

- GIs protected in MOLDOVA are introduced into the GI Database - publicly accessible at <http://www.db.agepi.md/GeogrIndications/SearchGI.aspx> ;
- GIs considered within the trademark registration procedure;
- Enforcement mechanisms, in particular at the border, put in place and applicable, including *ex-officio* procedures.

Bilateral/multilateral cooperation in GI filed

- *UK-Moldova Strategic Partnership, Trade and Cooperation Agreement*, signed on December 24, 2020, entered into force on 1st of January 2021 (66 UK GIs/8 MD GIs).
- *The Agreement Between Georgia and the Republic of Moldova on the mutual recognition and protection of geographical indications*, entered into force on 17th of May 2023 (46 GE GIs/10 MD GIs).
- The Republic of Moldova signed on June 27, 2023, the Free Trade Agreement with Iceland, the Principality of Liechtenstein, the Kingdom of Norway and the Swiss Confederation (EFTA). Following the signing and ratification of the nominated agreement, the Republic of Moldova undertakes to recognize and grant legal protection on its territory to geographical indications from the EFTA states and vice versa (221 CH/LI GIs/15 MD GIs).
- Preparations for the ratification process of the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications are still ongoing. Moldova has been provided with WIPO comments on the draft law for amending the Law 66/2008 and is now revising the draft law based on WIPO recommendations.



Map of Moldovan Traditional Products and Geographical Indications



* Protecție în baza ARIPIE
 ** Beneficiari de protecție și prin Aranjamentul de protecție (30 de state)

Map of Potential Geographical Indications

Administrative units

- Chișinău (9)
- Bălți (2)
- Anenii Noi (7)
- Cahul (2)
- Cantemir (3)
- Călărași (10)
- Ceadr-Lunga (3)
- Criuleni (5)
- Dondușeni (3)
- Drochia (1)
- Dubăsari (7)
- Edineț (6)
- Florești (1)
- Glodeni (2)
- Hâncești (8)
- Ialoveni (3)
- Nisporeni (5)
- Orhei (6)
- Rezina (4)
- Râșcani (2)
- Sângerei (4)
- Soroca (2)
- Strășeni (11)
- Șoldănești (1)
- Ștefan Vodă (3)
- Taraclia (1)
- Telenești (3)
- Ungheni (7)



GI related publications and studies

A series of publications have been elaborated to support the competent authorities and the users of the system, including:

- Gap Analysis Report on the GI system in the Republic of Moldova;
- Recommendations for improving the GI system based on the elaborated with the support of the EU experts;
- Practical Guide for the identification of potential products which can be promoted under Protected Geographical Indications, Protected Designations of Origins and recognized as Traditional Specialties Guaranteed in the Republic of Moldova;
- Study for identification products, beverages, meals and handcrafts items eligible for registration as GI in the Republic of Moldova;
- Guide for performing the certification and control of GIs based on EU best practices;

The publications are available on-line on the AGEPI web page:

<https://agepi.gov.md/en/content/publications>



Deficiencies/obstacles in GI field

- Limited institutional capacities of the public authorities dealing with GI;
- Lack of an operational certification and control system for agri-food products – no certification bodies for agri-food products;
- Limited capacities of producers/limited GI products' volumes;
- Low level of GI knowledge and GI consumption culture;
- Limited support for GI producers;
- Complexity/high cost of the GI system for producers.



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