

Strengthening geographical indications

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BACKGROUND PAPER

PANEL: INCREASING ATTRACTIVENESS OF GIS

1. OBJECTIVES:

This panel will expose the geographical imbalance in take up of geographical indications (GIs), where 6 Member States account for between 100 and 800 GIs, and 21 Member States with 30 GIs on average. What are the factors that increase or reduce the attractiveness of the geographical indications? How can ways be found to reinforce take up in the medium and low-user Member States?

Important discrepancies of the use and support of GI initiatives among the Member States and the participation of GIs producers in the promotion programmes will be also discussed. Are GIs an effective tool to contribute to rural development? Can GIs increase viability of farms and rural SMEs, including those in remote or disadvantaged areas?

This panel will focus on the benefits of the schemes, their weaknesses and ways to remedy them in order to make the GI instrument more accessible to farmers and producers – in all parts of the Union.

2. CHALLENGES/TOPICS:

The [open public consultation](#) (February 2020) under the Commission's evaluation of GI policy showed the **incentives** to participate in an EU quality scheme are:

- use as a marketing tool,
- exclusive use of the protected name,
- reinforced position of producers in the value chain,
- economic viability,
- affinity with the region differentiation of the product,
- access to new markets,
- traceability tool,
- higher price premium.

On the other hand, certain **disincentives** were highlighted such as:

- higher costs related to the application, certification and inspection for compliance and production,
- uncertainty of quality of controls along the supply chain,
- uncertainty of market demand,
- preference for single-business branding, and
- insufficient ‘public support’.

68% of respondents agreed that ‘*EU quality policy complements/contributes to CAP instruments and achievement of its measures*’.

In sum, if managed well, a GI can allow significant income increases and easier access to premium markets. GIs are also shown to have a positive impact on employment opportunities, rural tourism, sustainability, and on the overall economy of rural areas. But how to translate these advantages into increased uptake in the low-use Member States? Some ideas and proposals taken from stakeholders over the years are listed in the **Annex**.

3. QUESTIONS

- (1) Is the scope of the current GI legislation fit for purpose? Should it be extended or more limited? (e.g. to exclude some products such as prepared restaurant dishes, private property items such as secret recipes or single source water)
- (2) What additional flexibility in the legal requirements needed? (e.g. possibility of processing in neighbouring regions, sourcing of raw materials, no need to have the name in use before applying for a registration)
- (3) What incentives and/or measures would encourage producers to participate in the EU GI schemes?
- (4) Should GIs scheme incentives be more integrated into rural development measures and if yes what kind of assistance would be most useful?
- (5) Possible tools at EU and Member State level to increase awareness of producers, consumers and national authorities?
- (6) How could local authorities play a greater role in e.g. coordinating producer groups, sharing cultural heritage of regions?

European Commission
 DG Agriculture and Rural Development
 Unit B.3. – Geographical indications



ANNEX

AREAS FOR INCREASING ATTRACTIVENESS OF GIs MAY INCLUDE:

- (1) targeted **rural development measures**, and/or higher co-financing rates, concerning:
 - (a) formation of producer groups;
 - (b) technical assistance in GI analysis, notably SWOT assessment; nutritional profiling, environmental impact, and social assessments;
 - (c) expert advice on identifying the area, defining the specific product, writing product specifications, and securing democratic agreement of the producers concerned;
 - (d) promoting linkage to tourism and the identity of the local area built around the product;
 - (e) collective marketing and information including in external markets;
 - (f) monitoring compliance of producer group members with the specification;
 - (g) enforcement actions including liaison and cooperation with anti-counterfeiting authorities and customs applications;
 - (h) supporting applications for protection of a GI in non-EU countries (by whatever best means is available).
- (2) aligning the rules (e.g. on slaughter and first-stage processing) with **rural realities**, where local slaughter houses have gone and washing and packing facilities are not available;
- (3) **flexibility**: facilitate and encourage amendments that adapt production to more sustainable methods, or **adapt** to climate change, or mitigate climate change pressures, or align to changing **consumer choices** (such as reducing sugar, alcohol or fat content in a traditional product);
- (4) ensuring that traditional small-scale producers of traditional product designated under GIs can in practice benefit from **existing derogations from food safety and hygiene rules** (while assuring an equivalent level of safety by traditional methods);
- (5) extending **scope of GIs to cover all agricultural products** (according to WTO definition) to close the gaps, provided always that the product meets the conditions for a GI. This would provide a critical IP instrument of protection to traditional local animal breeds and crop planting materials that are still preserved in local areas;
- (6) to **prevent ‘GI-capture’ by single operators**, specify that a ‘private property asset’ (such as a water-well or a patented breed) can only be

included in a GI specification if its use is made available to all eligible producers; and exclude 'products that cannot be traded' to prevent abuses of the GI scheme by non-rural producers;

- (7) in areas that have little tradition of collective agricultural production, to allow **local actors**, such as a regional mayor's office, to coordinate applications, provided always that an application is led by producers of the product to be designated by the GI;
- (8) extend the existing rule from the wine sector that a **geographical name** may be registered as a GI (also for food and spirits) even where it has not been in use before to designate the specific product to which the GI criteria apply;
- (9) identify and **exclude production modes that are anathema** to the concept of GIs, such as *hors-sol* agriculture, employment practices that do not meet basic ILO standards; ultra-processed foods (as identified in the [NOVA classification system](#)), practices excluded under the [European Convention for the Protection of Animals kept for Farming Purposes](#), etc.