PROCEEDINGS

SHORT PAPERS



Worldwide perspectives on geographical indications







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BACKGROUND

The world's food and artisanal heritage encompasses a multitude of products linked to their origin that rely on the knowledge, skills, practices and traditions developed collectively by local producers over time and transmitted across generations. While the commercial success of origin products has long preceded the use of formal mechanisms for their protection, legal frameworks governing the registration and protection of Geographical Indications (GIs) have mushroomed around the world in a very diverse manner, translating the variety of meanings and objectives attached to them. These range from market-based approaches targeting unfair competition practices, to approaches directed at non-market objectives, including territorial development, and preservation of cultural heritage and natural resources.

Among these approaches, the *sui generis* system and the approach based on the certification/collective trademark system have emerged as the two main institutional ways to protect GIs. These mechanisms provide the legal tools to recognize and preserve the name, typicality, quality and reputation of products linked to their origin, to varying extents. In two decades, numerous new GIs have been recognized in many different countries in all regions of the world.

Considering their economic, social and cultural importance, especially for rural areas, the protection of GIs has been put on a foreground space and under the spotlight of international negotiations and debates between international organizations, bilateral relations, national policies and a broad range of stakeholders located at different levels and defending varied interests.

From an institutional viewpoint, lines and perspectives have increasingly moved from the World Trade Organization (WTO) Trade-Related Aspects of Intellectual Property Rights (TRIPs) Agreement to the World Intellectual Property Organization (WIPO) Geneva Act of the Lisbon Agreement. The nature of GIs itself has evolved from agricultural and rural policies to non-agricultural GIs, and their function has expanded from protecting consumers and producers' interests to underpinning territorial development policies based on cultural heritage.

In this context, researchers in all parts of the world have explored the connections between GIs and their many dimensions. These include, among others: the nature of the links between the products' qualities and their geographical origin and its translation into specifications; the recognition of the specific know-how of local producers, including women and indigenous and local communities; the role of public authorities; the collective organization of producers; quality control systems; governance and enforcement mechanisms; international and national protection; marketing issues; biodiversity conservation; preservation of environment and cultural heritage; sustainable development; food heritage and healthy diets when related to food products; and tourism.

At the local level, GI producers are empowered through the drafting of the GI specifications, the collective management of supply chains and the organization of quality controls. More recently, GI

producers have increasingly faced new issues such as: marketing and promotion of newly created GIs; rapidly changing markets; technical innovations; and adaptation to climate change.

From a social point of view, GIs offer particular guarantees to consumers on the quality and origin of these products, and are also in line with current concerns for the conservation of the local cultural heritage in a more and more globalized world.

Public authorities at the local, national, regional and international levels have been playing an important role in the identification, registration, control, protection and overall management of GIs. The growing number of international cooperation activities associated to technical assistance in parallel to the negotiations of bilateral trade agreements for the international protection of GIs illustrates such policy intervention.

These new perspectives, approaches and practices have led to an increasingly complex, heterogeneous, dense and evolving picture of GIs that needs to be described, analyzed and questioned.

AIMS AND OBJECTIVE

The objective of this international conference is to allow for dedicated discussions on most recent research and about best practices about GIs, while also sharing views between the academic world, practitioners network and policy sphere.

As the Geneva Act of WIPO's Lisbon Agreement recently entered into force, thereby establishing the first international system of registration and protection of GIs, it is time to wrap up the research outcomes and practical experiences of the last 25 years in all parts of the world and bring new ideas, perspectives and inspiration.

Nature and legal definition, public and private management, impacts in the marketplace and outside the market, sustainable development including social dimensions and the protection of biodiversity and environment, relationships with other intellectual property rights, engagement with other formal and informal forms of norm-making, consumers' welfare, competition policies, technical innovation and *terroir* effect, collective organization and collaboration, participation and empowerment of local actors: these are some of the topics that will feed the debates in this conference, with the objective to grasp the dynamic nature of GIs and understand better their many dimensions and the diversity of their manifestations across the world.

ORGANIZERS

The main organizers are the Food and Agriculture Organization of the United Nations (FAO) and the Centre de coopération internationale en recherche agronomique pour le développement (CIRAD).

FAO is developing extensive knowledge on GIs and provides guidance and technical assistance to countries in protecting their GIs as a tool to contribute to the development of sustainable agriculture and food systems for reaching the Sustainable Development Goals.

CIRAD conducts research, organizes training and provides technical assistance on GIs in Africa, Asia and South America, regarding the setting up of the legal and institutional framework, the product identification and selection, the drafting of GI specifications, the role of collective producers organizations, control mechanisms, the market access, or the impacts assessment.

CONTEXTE

Le patrimoine alimentaire et artisanal mondial est riche d'une multitude de produits liés à l'origine fondés sur les connaissances, les pratiques et les traditions élaborées collectivement par des producteurs localisés, au fil du temps, et transmises de génération en génération. Le succès commercial des produits d'origine a précédé l'utilisation de mécanismes formels pour leur protection en tant qu'indication géographique (IG). Les cadres juridiques régissant l'enregistrement et la protection des IG se sont multipliées dans le monde de manière très contrastée, traduisant la variété des objectifs attachés aux IG. Les finalités des IG relèvent de l'accès au marché en ciblant les pratiques de concurrence déloyale, ou visent des dimensions non marchandes, telles que le développement territorial, la préservation du patrimoine culturel et des ressources naturelles.

Le système *sui generis* et le système des marques de certification/marques collectives sont apparus comme les deux principaux dispositifs institutionnels de protection des IG. Ces outils juridiques permettent de reconnaître et préserver, à des degrés divers, le nom, la typicité, la qualité et la réputation des produits liés à leur origine. Dans les deux dernières décennies, une abondance de nouvelles IG ont été reconnues dans de nombreux pays sur tous les continents.

En raison de leur importance économique, sociale et culturelle, en particulier pour les régions rurales, les IG ont attiré l'attention et sont devenues l'objet de négociations et débats parmi un large éventail d'acteurs défendant des intérêts variés, que ce soit au niveau des politiques nationales, des organisations internationales et des relations commerciales bilatérales.

En ce qui concerne la protection internationale des IG, ces négociations et débats se sont progressivement déplacées de l'Organisation mondiale du Commerce (OMC) et de l'Accord sur les Aspects des droits de propriété intellectuelle qui touchent au commerce (ADPIC) vers l'Organisation mondiale de la propriété intellectuelle (OMPI) et l'Acte de Genève de l'Arrangement de Lisbonne sur les appellations d'origine et les indications géographiques. La nature même des IG a évolué des politiques agricoles aux IG non-agricoles, de la protection des intérêts des consommateurs et des producteurs à l'appui des politiques de développement territorial fondées sur le patrimoine culturel.

En parallèle à ces développements, des chercheurs de toutes les régions du monde ont exploré les diverses dimensions des IG. Il s'agit notamment de la nature des liens entre la qualité des produits et leur origine géographique et leur traduction en cahiers des charges ; la reconnaissance du savoir-faire spécifique des producteurs locaux, des femmes et des communautés autochtones locales, le rôle des pouvoirs publics; l'organisation collective des producteurs, la gouvernance; le contrôle de qualité; la protection au niveau national et international; la commercialisation; la conservation de la biodiversité; la préservation de l'environnement et du patrimoine culturel; le développement durable; le patrimoine culinaire et l'alimentation diversifiée et saine en lien avec les IG de produits alimentaires; le tourisme.

Au plan local, les producteurs d'IG sont généralement responsables de la rédaction du cahier des charges, la gestion collective des chaînes d'approvisionnement et l'organisation des contrôles de qualité. De nouveaux enjeux émergent pour les filières IG tels que la commercialisation et la promotion d'IG nouvellement créées; l'évolution rapide et l'instabilité des marchés; les innovations techniques et l'adaptation au changement climatique.

D'un point de vue sociétal, les IG offrent des garanties particulières aux consommateurs quant à la qualité et l'origine des produits, et s'inscrivent dans les questionnements actuels sur la sauvegarde du patrimoine culturel local dans un monde de plus en plus globalisé.

De leur côté, les autorités publiques aux niveaux local, national, régional et international jouent un rôle crucial dans l'identification, l'enregistrement, le contrôle, la protection et la gestion des IG. Le nombre croissant d'activités de coopération internationale et d'accords commerciaux bilatéraux en matière d'IG en est une illustration.

Ces nouvelles perspectives et pratiques esquissent une image de plus en plus complexe, hétérogène, dense et évolutive qu'il s'agit de décrire, d'analyser et de questionner pour appréhender l'avenir globalisé des IG.

OBJECTIF

L'objectif de cette conférence internationale est de partager et permettre des discussions approfondies sur les recherches scientifiques les plus récentes et les leçons tirées d'expériences de mise en œuvre des IG au cours des 25 dernières années dans toutes les régions du monde, en instaurant un dialogue entre le monde de la recherche, les praticiens, les autorités et la sphère politique. Alors que l'Acte de Genève de l'Arrangement de Lisbonne de l'OMPI est récemment entré en vigueur, établissant ainsi le premier système international d'enregistrement et de protection des IG, le moment est venu de proposer des perspectives et des idées nouvelles comme source d'inspiration créatrice !

Nature et définition juridique, gestion publique et privée, impacts sur le marché et en dehors du marché, développement durable, y compris les dimensions sociales et la protection de la biodiversité et de l'environnement, relations avec d'autres droits de propriété intellectuelle, engagement avec d'autres formes formelles et informelles d'élaboration de normes, bien-être des consommateurs, politiques de concurrence, innovation technique et effet terroir, organisation collective et collaboration, participation et renforcement des acteurs locaux: tels sont quelques-uns des thèmes qui alimenteront les débats de cette conférence, avec pour objectif d'explorer la nature dynamique des IG et de mieux comprendre leurs multiples dimensions et la diversité de leurs manifestations à travers le monde.

ORGANISATEURS

Les principaux organisateurs sont l' Organisation des Nations Unies pour l'alimentation et l'agriculture (FAO) et le Centre de Coopération Internationale en recherche agronomique pour le développement (CIRAD).

La FAO développe des connaissances approfondies sur les IG et fournit des conseils et une assistance technique aux pays pour protéger leurs IG en tant qu'outil au service du développement d'une agriculture et de systèmes alimentaires durables pour atteindre les objectifs de développement durable.

Le CIRAD conduit des recherches, organise des formations et fournit une assistance technique sur les IG en Afrique, Asie et Amérique du Sud, sur la mise en place du cadre juridique et institutionnel, l'identification et la sélection des produits, la rédaction des cahiers des charges, le rôle des organisations collectives de producteurs, les mécanismes de contrôle, de l'accès au marché, ou l'évaluation d'impacts.

De nombreux autres partenaires contribueront à l'organisation de la conférence.

EL CONTEXTO

El patrimonio mundial de alimentos y artesanía incluye una multitud de productos vinculados al origen que se basan en los conocimientos, las técnicas, las prácticas y las tradiciones desarrolladas colectivamente por los productores locales a lo largo del tiempo y transmitidas de generación en generación. Si bien el éxito comercial de los productos vinculados al origen ha precedido durante mucho tiempo al uso de mecanismos formales para su protección, las leyes que rigen el registro y la protección de las indicaciones geográficas (IG) han proliferado en todo el mundo de muy diversas maneras, lo que refleja la variedad de significados y objetivos que se les atribuyen. Éstos van desde los enfoques basados en el mercado que apuntan a las prácticas de competencia desleal, hasta los enfoques orientados a objetivos no comerciales, como el desarrollo territorial y la preservación del patrimonio cultural y de los recursos naturales.

Entre estos enfoques, los sistemas *sui generis* y las marcas colectivas o de certificación han surgido como las dos principales estructuras institucionales para proteger las IG. Estos mecanismos proporcionan los instrumentos jurídicos para reconocer y preservar, en diversos grados, el nombre, la tipicidad, la calidad y la reputación de los productos vinculados al origen. Han permitido en dos décadas al reconocimiento de una multitud de indicaciones geográficas en múltiples países en el mundo.

Debido a su importancia económica, social y cultural - especialmente para las zonas rurales-, la protección de las indicaciones geográficas ha sido colocada al frente de las negociaciones internacionales y de los debates entre las organizaciones internacionales. También tiene importancia en las relaciones bilaterales y al nivel de las políticas nacionales para defender diversos intereses.

Desde el punto de vista institucional, las líneas y perspectivas han pasado progresivamente del Acuerdo sobre los aspectos de los derechos de propiedad intelectual relacionados con el comercio (ADPIC) de la Organización Mundial del Comercio (OMC) hacia el Acta de Ginebra del Arreglo de Lisboa de la Organización Mundial de la Propiedad Intelectual (OMPI). Las IG incluyen ahora las IG no agrícolas, y su función ha evolucionado de la mera protección de los intereses de los consumidores y de los productores a las políticas de desarrollo territorial basadas en el patrimonio cultural.

En este contexto, , investigadores de todas las regiones del mundo han explorado los vínculos entre las IG y las múltiples facetas que se les atribuye, tal como la naturaleza de los vínculos entre la calidad del producto y el origen geográfico y la forma en la cual se traducen en los pliegos de condiciones; el reconocimiento de los saberes de los productores locales, incluidas las mujeres y las comunidades indígenas y locales; el papel de las autoridades públicas; la organización colectiva de los productores; la gestiòn; los sistemas de control de la calidad; los sistemas de protección a nivel internacional y nacional, incluido el tipo de protección jurídica; la comercialización de los productos; la conservación

de la diversidad biológica; la preservación del medio ambiente y del patrimonio cultural; el desarrollo sostenible; el patrimonio alimentario; la alimentación saludable; y el turismo.

A nivel local, los productores de IG están legitimados mediante la redacción del pliego de condiciones, la gestión colectiva de las cadenas productivas y el sistema de control de la calidad. Últimamente, los productores de IG se han enfrentado a nuevos retos como la comercialización y promoción de las IG de reciente creación, la rápida evolución de los mercados, las innovaciones técnicas y la adaptación al cambio climático, entre otros.

A nivel de la sociedad, las IG ofrecen garantías específicas a los consumidores en cuanto a la calidad y el origen de los productos, y forman parte de las preocupaciones actuales sobre la salvaguardia del patrimonio cultural local en un mundo cada vez más globalizado.

Las autoridades públicas locales, nacionales, regionales e internacionales han desempeñado un papel importante en la identificación, el registro, el control, la protección y la gestión global de las IG. La acción política para el registro y la gestión de las IG se ilustra también con las crecientes actividades de cooperación internacional (asistencia técnica, capacitación), junto con la negociación de acuerdos comerciales bilaterales para su protección internacional.

Estas nuevas perspectivas, enfoques y prácticas han dado lugar a una representación cada vez más compleja, heterogénea, densa y evolutiva de las IG.

PROPÓSITO

El objetivo de esta conferencia internacional es fomentar el debate sobre las investigaciones más recientes y las buenas prácticas, facilitando el diálogo entre los académicos, los profesionales y la esfera política.

Si bien el Acta de Ginebra del Arreglo de Lisboa de la OMPI ha entrado hace poco en vigor, estableciendo el primer sistema internacional de registro y protección de las indicaciones geográficas, ya ha llegado el tiempo de resumir los resultados de las investigaciones y de las experiencias prácticas de los últimos 25 años para todas las partes del mundo, y de proponer nuevas perspectivas e ideas como fuente de inspiraciones.

Naturaleza y definición jurídica, gestión pública y privada, efectos en el mercado, desarrollo sostenible, incluidas las dimensiones sociales y la protección de la biodiversidad y el medio ambiente, relación con otros derechos de propiedad intelectual, compromiso con otros procesos formales e informales de construcción de normas, bienestar de los consumidores, políticas de competencia, innovación técnica, organización colectiva y colaboración, participación y empoderamiento de los actores locales: estos son algunos de los temas de esta conferencia, con el objetivo de comprender la dinámica de las IG en sus múltiples dimensiones, así como la diversidad de sus expresiones a través del mundo.

ORGANIZADORES

Los principales organizadores son la Organización de las Naciones Unidas para la Alimentación y la Agricultura (FAO) y el Centre de coopération internationale en recherche agronomique pour le développement (CIRAD).

FAO genera conocimientos avanzados sobre las IG y proporciona asesoramiento y asistencia técnica a los países para proteger sus IG como herramienta para el desarrollo de la agricultura y de sistemas alimentarios sostenibles con el fin de alcanzar los Objetivos de Desarrollo Sostenible (ODS).

CIRAD realiza investigaciones, formaciones y brinda asistencia técnica sobre las IG en África, Asia y América del Sur, sobre el establecimiento del marco legal e institucional, la identificación de productos, la redacción de especificaciones, el papel delas organizaciones colectivas de productores, el mecanismo de control, el acceso al mercado o la evaluación de los impactos de las IG.

Muchos otros aliados contribuyen a la organización de la conferencia.

Agenda - Tuesday 5 July 2022

>8.30-9.00 Welcome – Registration

>9.00-9.30 › Amphi Louis Malassis

Official Opening

Elisabeth Claverie de Saint-Martin (PDG Cirad) & Qu Dongyu (DG FAO)

>9.30-10.30 › Amphi Louis Malassis

Keynote Highlights

Delphine Marie-Vivien (CIRAD), Massimo Vittori (OriGIn), Florence Tartanac (FAO) & Erik Thévenod-Mottet (Swiss IPI)

>10.30-11.00 Coffee break › Grand Hall Bananier

>11.00-12.30 › Amphi Louis Malassis

Panel: Regional Overview

Moderators: M. Vittori (oriGIn) & N. Hirsig (Swiss IPI)

Simplice Nouala Fonku (African Union), Latha Nair (K&S Partners, India), Klaus Blank (EU), Marcelo Champredonde (INTA, Argentina) & Alexandra Grazioli (OMPI)

>12.30-14.00 Lunch › Grand Hall Bananier

>14.00-16.00 › Amphi Louis Malassis

A.1 Local Public Authorities & GIs

Moderators: F. Alampi & G. Belletti

Crescenzi Angela (Governance of the Tuscany Region for quality products and territories) • Feuer Hart (The economic blind spot of Geographical Indication in state-centered governance: Mikawa region agri-food products in Japan) • Ginèbre Pierre (Le développement des IG, une priorité stratégique pour la Région Occitanie Pyrénées Méditerranée) • Igoumenidou Vasiliki (Role of Region of Epirus at the certification of Kashkaval of Pindos as PGI) • Lindermayer Hannah (Governance of GIs and the role of regional and local public actors: Bavaria) • Montoro Celia (Plan Estratégico de la Alimentación de Cataluña 2021-2026: una nueva gobernanza para impulsar las IGP/DOP) • Nguyen Mai Huong (Protection of Geographical Indication in Vietnam: opportunities and challenges to achieve the sustainable food system) • Wirsig Alexander (Protection of fish from wild catch of Lake Constance)

>14.00-16.00 › Salle Badiane

B. International Mechanism for GI protection

Moderators: B. O'Connor & A. Moerland

Blank Klaus (EU accession to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications) • Fracarolli Guilherme (EU-Mercosur Trade Agreement: Geographical Indication agri-food products on the table) • Levy Alexandre (Articulation et gradation des régimes de protection issus des accords bilatéraux UE/Pays Tiers et du droit international public : un défi pour la protection internationale des IG) • Mazé Armelle (Geographical Indications in the turf wars of international trade agreements. A comparative and historical perspective) • Swart Marthane ('Rooibos' / 'Red Bush': the first African GI included in the EU Register) • Thévenod-Mottet Erik (A New World for Geographical Indications: The progressive extension of sui generis GI protection to contending territories)

>16.00-16.30 Coffee break › Grand Hall Bananier

Agenda - Tuesday 5 July 2022 (cont'd)

>16.30-18.30 › Amphi Louis Malassis

A.2 National Authorities & GIs

Moderator: F. Tartanac

Gonomy Michel (Les IG dans l'espace OAPI) • Guerrero Paola (Promoción y protección de los productos de origen en países en desarrollo: el rol de estado) • Ilhan Özden (Geographical Indications in Turkey - The Current Status and Future Outlook) • Kalandadze Tengiz (The GI policy in Georgia) • Liel Uziahu (Israeli geographical indications - Unrealized potential that can be realized?) • Paola Pineda (Hacia una mejor coordinación eficiente y completa de las entidades delegadas de las DOP en Colombia) • Şimsek Nazlı / Altintas Nese (Geographical Indication Practices of the Ministry of Agriculture and Forestry in Turkey)

>16.30-18.30 › Salle Badiane

C.1 Nature of GIs: Key Concepts

Moderators: A. Zappalaglio & V. Gimeno

Casabianca François (The limits of inclusion in Geographical Indications - Should we exclude any exclusion?) • Degla Estève (Pour une consécration de la notion de « produits igéables » en contexte africain : un moyen pour atteindre un but sans bruit) • Hughes Justin (Complexities in interesting New World producers in Old World GI customs)• Marie-Vivien Delphine (Geographical indications: protection of a name or a logo? A risky shift) • Monterescu Daniel (Border Wines: Terroir across Contested Territory in Central Europe and the Middle East) • Villota Rafael (Questioning the global diffusion of GI as a policy model: lessons from the implementation of Café de Galapagos GI (Ecuador)

>19.30-21.30 › Maison des relations internationales, Montpellier city center

Welcome Cocktail

Tasting of local products.

Agenda – Wednesday 6 July 2022

>8.30-10.30 › Amphi Malassis

D.1 Governance of producers organisations, horizontal coordination, social capital, etc.

Moderators: F. Guerrieri & T. Kanoute

Bardenhagen Christopher (Internal Structure and Equity of Collective Management Organizations for GIs in France) • Beh Lam's Kouakou Vincent (Communication ODG pagne baoulé Côte d'Ivoire) • Messaili Samir (Les effets d'une IG aux niveaux économique, social, environnemental, culturel. Témoignage autour du fromage Bouhezza, unique fromage affiné traditionnel d'Algérie) • Covarrubia Patricia (Geographical Indications and Collective Marks in South America: it's not all about the label. Cultural Factors and Social Network Theories) • Galeano Barrera Claudia Jazmin (Protected designation of original and its contribution to territorial agro-industrial development: the case of "Bocadillo veleño" in Colombia) • Neves Calmon Siqueira Branco Nina Paloma (Forces et faiblesses dans la gouvernance des Indications Géographiques (IG) à Bahia et des IG des Farines de Manioc du Brésil)

>8.30-10.30 › Salle Badiane

C.2 Nature of GIs: sui generis and other legal forms

Moderators: A. Ginestet & A. Parra

Gimeno Beviá Vicente (La especialidad tradicional garantizada o la indicación geográfica protegida como esquemas de calidad para la tutela del jamón serrano) • Kirsten Johann (Politics, regulations, contestation, and self interest in the struggle to register Karoo Lamb as a GI in South Africa) • Kompari Katarina (GIs, Collective and Certification trade marks in EU - different regimes, choices and outcomes) • Moerland Anke (Protecting GIs through EU collective marks) • Musiza Charlene (An examination of the legal framework for origin-linked goods in Zimbabwe: Producer perspectives on legal protection for Chipinge coffee)

>8.30-10.30 › Salle Conseil

AfrIPI Intellectual Property Rights & Innovation in Africa

H. Africa Thematic session

Moderator: E. Huerta Garcia (EUIPO)

8.30-8.45 - Introductory remarks
Dr Simplice Nouala Fonkou (African Union); Alexandra Mayr (EUIPO)

8.45-9.15 - Panel 1 Innovation in the field of the protection of GIs in Africa
Diana Akullo (AfCFTA); Sand Mba Kalu (Nigeria); Monique Bagal (AfrIPI); Alessandra Narciso (University of Rome)

9.15-9.35 - Panel 2: Innovation in the field of governance of GIs
Mosbah Achour Ziane (Association pour la valorisation et la protection de la dénomination "Datte Deglet Nour de Tolga" Biskra, Algérie); René Metomo (Association IGP Poivre de Penja); Sibylle Slattery (FAO); Claire Cerdan (CIRAD)

9.35-10.00 - Panel 3: Innovation in the field of marketing and sustainability
Omar Bekkouche (Association des figuiculteurs de la commune de Beni Maouche Beni Mouache Wilaya de Bejaia, Algérie); Charlemagne Nindjin (Université Nangui Agrogoua, Abidjan, Côte d'Ivoire); Suzanne Abeline Maboune Tetmoun (Institut de Recherche Agricole pour le Développement, Yaoundé, Cameroun); Massimo Vittori (oriGIn)

10.00-10.20 - Discussion with all participants, including other contributors & Wrap- up
Monique Bagal (AfrIPI)

10.20-10.30 – Conclusion
Alexandra Mayr (EUIPO)

>10.30-11.00 **Coffee break** › Grand Hall Bananier

Agenda – Wednesday 6 July 2022 (cont'd)

>11.00-12.30 › Amphi Malassis

D.2 Governance of value chain: actors, linkages, vertical coordination

Moderators: J. Kimura & P. Damary

Dokuzlu Sertac (Challenges and Mediation of Collective Action in the Implementation of GIs: Turkish Experience) • Fournier Stéphane (Novel conditions or just new paths for re-territorialization through Geographical Indication: Case study of "Yamanashi wine" GI in Japan) • Kanoute Pape Tahirou (« Madd de Casamance », une IG pour répondre à de multiples enjeux de durabilité au Sénégal) • Muco Elda (Le rôle du capital social dans la mise en œuvre des IG-s : application dans un territoire albanais) • Vagneron Isabelle (Can a geographical indication help foster cooperation? Evidence from the Bolaven plateau (Lao PDR)) • Zivadinovic Tamara (Governance GIs systems in Serbia and Montenegro, with specific overview of Arilje raspberry protection)

>11.00-12.30 › Salle Badiane

C.3 Nature of GIs: heterogeneity and protection

Moderators: F. Casabianca & D. Marie-Vivien

Ayu Palar Miranda Risang (A Model of Geographical Indication's Product Specification for ASEAN Member Countries) • Champredonde Marcelo Innovating the link to origin: is there a difference between PDOs and PGIs?) • Nair Latha (Variability in the conceptual bases of Geographical Indications products: causes, consequences, possible evolutions) • Crupi Maurizio (An unequal world for GIs in the Domain Name System) • Pick Barbara (Empirical Investigation of Fraud and Unfair Competition Practices in France and Vietnam: Actors, Types and Drivers) • Svinartchuk Tatiana (Appellations of origin and geographical indications in the wine sector: historical overview of the evolution of these two notions, the role of the OIV as an intergovernmental organisation of the vitivinicultural sector)

>11.00-12.30 › Salle Conseil

IGE | IPI

L. GIs: recognizing an IP right is not the end of the story

Moderators: E. Thévenod-Mottet & A. Grazioli

Achour Ziane Mosbah (Démarches pour l'indication géographique "Datte Deglet Nour de Tolga''- Algérie) • Barbosa Patrícia (From Região da Mantiqueira de Minas Gerais IP to Mantiqueira de Minas DO: a case study of a change in a type of Brazilian geographical indication) • Mayr Alexandra (Strengthening GI systems worldwide: EU funded projects implemented by EUIPO) Pedelahore Philippe (Sélectionner les produits à enregistrer en Indication Géographique : démarches mobilisées et résultats obtenus pour quatre pays africains) • Takahashi Naoko (The scope for developmental dynamism after Geographical Indication specification: The case of Japanese kaki) • Zappalaglio Andrea (Silent GIs: What is at stake?)

>12.30-14.00 **Lunch** › Grand Hall Bananier

Agenda – Wednesday 6 July 2022 (cont'd)

>14.00-16.00 › Amphi Louis Malassis

D.3 Governance of value chain: controls, evaluation and GI success factors

Moderators: S. Fournier & L. Paglietti

Bacha Fadhila (Etat des lieux et analyse des dispositifs de labellisation par les signes distinctifs liés à l' origine (IG), dans les pays méditerranéens du Sud avec un focus sur la filière datte en Algérie) • Guerrieri Flavia (The control plan of agricultural and non-agricultural GIs: the Cinderella of collective action?) • Jorjadze Mariam (GI development experience in Georgia) • Kananian Mona (Managing Two Iranian GIs: A Case Study of Using the Swiss Intellectual Property Institute (IPI)'s GI Impact Evaluation Guide in Iran) • Lemia Chekir Thabet (La mise en œuvre sur le terrain d'une IG pour promouvoir le développement local : l'expérience tunisienne de la figue de Djebba) • Maccari Michele (Participatory Guarantee Systems (PGS): a tool to improve the effectiveness of Geographical Indications in short food supply chains; the case of Parma Bio-district)

>14.00-16.00 › Salle Badiane

E. Link to origin: environmental and climate change issues

Moderators: C. Bernard-Mongin & D. Barjolle

Bekkouche Omar (IG Figues sèches de Beni Maouche) • Flutet Gilles (La problématique des indications géographiques face au changement climatique en France) • Gabellini Sara (GI Products Based on Agrobiodiversity Resources: Which Quality Signs?) • Haba Mory (IGP, Biosphère et Collectivités Locales, Enjeux et perspectives pour un développement durable : cas du Café Ziama-Macenta) • Salpina Dana (Climate change effects and the responses of the agri-food GI agents: Evidence from the Veneto Region (Italy)) • Touzard Jean-Marc (Les indications géographiques face au changement climatique : No future ou new morning? Enseignements des recherches sur les vignobles français.)

>16.00-16.30 **Coffee break** › Grand Hall Bananier

>16.30-18.00 › Amphi Louis Malassis

G. GIs and consumers

Moderators: D. Sautier & M. Champredonde

Huysmans Martijn (Do geographical indications certify origin and quality? A conceptual framework and an exploratory test on Gouda cheeses) • Kallas Zein (The impact of emotional storytelling on consumers' acceptance and purchasing intention of cheese and hazelnut with Protected Designation of Origin) • Mariot Roberta (Viability study on obtaining a geographical indication for designation of origin on salt lamb from the coastal peninsula of rio grande do sul, Brazil) • Menozzi Davide-Arfini Filippo (Choice drivers and willingness to pay for combined quality-labelled food: A cross-cultural comparison on PDO Cheese) • Poméon Thomas (AOP et AB : quelle disposition à payer des consommateurs pour la double labellisation ?) • Rahmani Djamel (How COVID-19 affected consumers' preferences and attitudes toward foods with Protected Designation of Origin (PDO)) • Särkkä Marjo (Finnish consumer's awareness of EU food quality labels and labels of origin)

>16.30-18.00 › Salle Badiane

F. Link to origin: traditional know-how or innovation?

Moderators: C. Cerdan & P. Covarrubia

Bel Nadège (DOCaMEx : Capitaliser les Savoir-Faire) • Maboune Tetmoun Suzanne Abeline (Le cacao rouge du Cameroun : Contribution de la recherche scientifique à la caractérisation et la délimitation de la proposition d'Identification géographique protégée (IGP)) • Neves Calmon Siqueira Branco Nina Paloma (Défis de la délimitation territoriale dans l'enregistrement de l'Indication Géographique : le cas de la farine de manioc Copioba) • Parayil Chitra (Comparison between Geographical Indication red rice in India and Thailand: Regulations and practices) • Wiedersich Avena Astrid (GIs as the engine of traditional communities' rights) • Zinsli Matthew (The co-production of coffee terroir on the Galápagos Islands: Knowledge, power, and sustainability in a Latin American GI project)

Agenda – Wednesday 6 July 2022 (cont'd)

>19.00-20.30 › Centre Rabelais, Montpellier city center

Public Round Table

Moderators InFaact Chair: S. Fournier (Institut Agro Montpellier), V. Olivier-Salvagnac (Ensat) & E. Thévenod-Mottet (Swiss IPI)

Myo Aye, coffee producer from Myanmar • Vincent Beh Lams, weaver of Pagne Baoulé in Ivory Coast • Yudy Paola Pineda Suárez, producer of Bocadillo Veleno in Colombia • Géraud Valadier, Président de la coopérative Jeune Montagne (AOP Laguiole)

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In collaboration with the "4 Seasons of Agroecology and Sustainable Food" Festival

Agenda – Thursday 7 July 2022

>08.30-18.30 › Departure & return: Agropolis International

Field visits

Vins de pays d'Oc, Oignon doux des Cévennes & Taureau de Camargue

Agenda – Friday 8 July 2022

>8.30-10.30 › Amphi Malassis

K.1 Different approaches to measure and improve GI sustainability

Moderators: A. Marescotti & M. Linder

Arciprete Roberta (A collective marketing strategy to assess and manage the sustainability of Geographical Indications. The case of Parmigiano Reggiano PDO) • Belletti Giovanni (Building and adapting collective rules of Geographical Indication Products: the role of participative evaluation) • Datta Sayantani (Fostering Indian foodstuffs GIs for sustainable development) • Gil Jose Maria (Indicadores de Sostenibilidad de las DOP de aceite de oliva en Cataluña) • Guareschi Marianna (The role of GIs in public goods production and SDGs achievement: a methodological proposal) • Kimura Junko (The potential of Geographical Indications (GI) to enhance Sustainable Development Goals (SDG) in Japan, with GI Mishima potato as a case study) • Laborie Roussel Sylvène, Chétaille Anne (Evaluation des interventions de l'Agence française de développement en faveur des Indications Géographiques) • Vandecandelaere Emilie (Sustainability strategy for GI; a bottom-up and participatory approach for GI sustainability)

>8.30-10.30 › Salle Badiane

I. GIs, tourism and gastronomy

Moderators: F. Arfini & L. Piccin

• Braz Nidia (Mediterranean Diet: a multidisciplinary approach to develop a new territorial strategy) • Cobello Sandro Marcelo (Desarrollo del cultivo de la alcachofa en São Roque-SP Brasil por medio del consumo local, turismo rural y gastronomico) • Höhn Gero Laurenz (The Effect of Delimited Geographical Indication Areas on Retail Prices: A European Study) • Medeiros Mirna (Indicaciones geogràficas e incremento del turismo: experiencias brasileàñas en los sectores de vino y café) • Narayanan Lalitha (A SWOT Analysis of the GI Registered Agricultural Products from India - Evidence from Select Case Studies) • Narciso Alessandra (The volcanic effects of PDOs wines in Cabo Verde. A sustainable approach) • Tartanac Florence (Nutrition and health potentials of GIs; the way forward)

>10.30-11.00 **Coffee break** › Grand Hall Bananier

Agenda – Friday 8 July 2022 (cont'd)

>11.00-12.30 › Amphi Louis Malassis

K.2 The variety of GI contributions to sustainability

Moderators: E. Vandecandelaere & B. Pick

• Atle When Hegnes (The Sustainable Turn and Norwegian GIs) • Guadarrama Omar (Principales discursos alrededor de las IGs en España: implicaciones para el diseño de políticas públicas) • Guibert Cécile (La réinvention du terroir par la mise en discours de la durabilité dans les filières élevage sous Indication Géographique) • Rabasa Ignacio (Sostenibilidad de las indicaciones geográficas protegidas del sector agroalimentario: marco europeo) • Teyssier Catherine (Le cahier des charges d'une IG peut-il être mobilisé pour contribuer à la durabilité environnementale ? Cas du partenariat entre parc naturel marin de l'estuaire de la Gironde et de la mer des Pertuis et le Groupement Qualité « Huîtres Marennes Oléron ») • Tillard Guylène (Comment le questionnement des trajectoires collectives des IG peut participer à la formalisation d'un projet sur la durabilité, en respectant la diversité des AOP laitières ?)

>11.00-12.30 › Salle Badiane

J. Which markets for GI products?

Moderators: A. Carimentrand & S. Slattery

Aye Myo (The potential of Geographical Indications for single origin and specialty coffee in Myanmar) • Brilhante Silva Joselito (Desarrollo territorial: la economía creativa en las regiones con indicación geográfica para el vino) • Carimentrand Aurélie (Les labels de commerce équitable et les indications géographiques: complémentarité ou supplémentarité ?) • Jakob Rackl (Geographical Indications and International Trade - A Theoretical Perspective) • Steinegger Sarah (Geographical Indications: Commons Dimensions as an Indication for Sustainable Regional Development?) • Sugiri Ranggalawe Suryasaladin (The Challenges and Impacts of Utilization of Geographical Indication to Indonesia Coffee Farmers and Industry)

>12.30-14.00 **Lunch** › Grand Hall Bananier

>14.00-16.30 › Amphi Louis Malassis

Plenary: Towards Recommendations

Moderators: D. Marie-Vivien, M. Ayu, E. Vandecandelaere, & M. Gonomy

14.00-14.30: Feedback from field visits: quiz
14.30-15.45: Highlights and recommendations from each session by rapporteurs
15.45-16.30: Discussions on recommendations by all participants
16.30: Thanks and closing of the Conference

>19.30-24.00 › Domaine du Grand Puy

Closing Gala

With traditional dancing party

Partners

Members of the Organising Committee

Federal Institute of Intellectual Property (Switzerland)	IGE | IPI
Organization for an International Geographical Indication Network (oriGIn)	oriGIn Organization for an International Geographical Indications Network

Other partners

European Bank for Reconstruction and Development (EBRD)	European Bank for Reconstruction and Development
European Union Intellectual Property Office (EUIPO)	EUIPO EUROPEAN UNION INTELLECTUAL PROPERTY OFFICE; AfrIPI
Association of European Regions of Products of Origin (AREPO)	AREPO
African Union	African Union
Organisation Africaine de la Propriété Intellectuelle (OAPI)	OAPI
Ministry of Agriculture and Food (France)	MINISTÈRE DE L'AGRICULTURE ET DE L'ALIMENTATION
National Institute of Origin and Quality (INAO)	INSTITUT NATIONAL DE L'ORIGINE ET DE LA QUALITÉ
Agropolis Foundation	agropolis fondation
Regional Institute for Food Quality (IRQUALIM)	IRQUALIM Occitanie
Chaire InFaaqt	CHAIRE IN'FAAQT; INNOVER AVEC LES FILIÈRES AGRICOLES AGROALIMENTAIRES DE LA QUALITÉ DES TERRITOIRES
Montpellier Agro Institute	L'INSTITUT agro Montpellier
National Research Institute for Agriculture, Food and the Environment (INRAE)	INRAE science for people, life & earth
The city of Montpellier	Ville de Montpellier
The Metropolis of Montpellier	montpellier méditerranée métropole
SYAL networks (Europe ERG Syal, Latin America)	SYAL EUROPEAN RESEARCH GROUP
State Secretariat for Economic Affairs SECO Economic Cooperation and Development (Switzerland)	Schweizerische Eidgenossenschaft Confédération suisse Confederazione Svizzera Confederaziun svizra; Swiss Confederation; Federal Department of Economic Affairs, Education and Research EAER State Secretariat for Economic Affairs SECO
Forum Origine, Diversité et Territoires (ODT)	Origine Diversité Territoires
Association suisse des AOP-IGP	AOP IGP
Conseil national des appellations d'origine laitières (CNAOL)	cnaol CONSEIL NATIONAL DES APPELLATIONS D'ORIGINE LAITIÈRES
The Magister Lvcentinvs (ML/LLM), Master in Intellectual Property and Digital Innovation at the University of Alicante	Universidad de Alicante; Master in Intellectual Property

Sponsor Addresses

European Bank for Reconstruction and Development (EBRD)

For EBRD, GIs can be a driver for sustainable and inclusive value chains. As part of FAO's cooperation with the European Bank for Reconstruction and Development (EBRD), a number of technical assistance projects have been implemented in countries including Croatia, Georgia, Montenegro, Serbia and Turkey, focusing on GIs as a driver for developing sustainable value chains and support enabling environment to boost private investment. These projects supported the development of a sound institutional and legal framework to establish policies and regulations for sustainable GIs, and raised awareness of the benefits of GIs at the national level. In addition, campaigns were carried out to promote the local benefits of pilot GI value chains and products, such as higher incomes, the preservation of local resources and know-how, and potential new market linkages with the tourism sector.

The European Union Intellectual Property office (EUIPO)

The European Union Intellectual Property office (EUIPO) has in the recent years undertaken important initiatives in four areas with regard to GIs: capacity building, knowledge expansion, promotion and dissemination as well as the development of IT tools and databases. Since 2012, it implemented ten EU-funded projects on behalf of the European Commission in India, China, Southeast Asia, Latin America, the Caribbean, and Africa.

In the framework of these projects, more than 130 GI-related activities have been implemented to promote GI systems and support to the registration of specific GIs; to exchange good practice, align non-EU GI law and practice to EU standards to ensure strong GI protection; to build stakeholder capacities to effectively implement GI protection through training of examiners, producers, control bodies, practitioners, and enforcement authorities, with tangible achievements such new memberships in the Geneva Act on the protection of appellations of origin and GIs, new GIs registered in country and abroad, as well as the development GIs databases.

As the African Union member states have developed a continental strategy on GIs and are developing the African Continental Free Trade Agreement (AfCFTA), GIs are at the center of the discussion. The EUIPO supports this process through the AfrIPI project at Pan African level. One of the components of the project focuses on supporting the effective implementation of this continental strategy.

Institut national de l'origine et de la qualité (INAO)

L'INAO, établissement public du ministère en charge de l'Agriculture, met depuis plus de 80 ans, son expertise au service des Indications géographiques françaises (vins, boissons spiritueuses, cidres, poirés et produits agro-alimentaires - fromages, huiles…) mais aussi dans le monde (coopération). La France compte 490 produits sous Appellation d'origine protégée/ contrôlée et 260 produits sous Indication géographique protégée (IGP), sous la supervision de l'INAO. L'INAO est également en charge d'autres signes de qualité tels que la STG (Spécialité traditionnelle garantie), le Label Rouge et l'Agriculture biologique.

Piloter, contrôler et protéger les Indications géographiques sont au cœur des missions de l'INAO. Ainsi, les services de l'Institut, forts de 240 agents, accompagnent les porteurs de projet dès le début de leur démarche pour les orienter et les conseiller, et suivent les organismes de défense et de gestion (ODG – associations de producteurs) ainsi que les opérateurs tout au long de la vie du produit sous signe officiel. Outre l'instruction des cahiers des charges, l'établissement assure la délimitation des aires de production, la protection juridique des produits contre les usurpations et les contrefaçons, en France comme à l'étranger, et enfin, la supervision des contrôles officiels.

Quelle localisation plus cohérente que la France, riche d'un patrimoine alimentaire et viticole incontournable, pour organiser le colloque « Perspectives mondiales sur les Indications géographiques » et ainsi rassembler durant 3 jours les meilleurs experts mondiaux ?

L'INAO salue et soutient l'initiative portée par l'Organisation des Nations Unies pour l'alimentation et l'agriculture (FAO) et le Centre de coopération internationale en recherche agronomique pour le développement (CIRAD), de réunir chercheurs, décideurs publics et opérateurs pour ce temps de réflexion à l'échelle internationale.

L'INAO soulèvera pour sa part la « Problématique des indications géographiques face au changement climatique en France » et présentera « Le défi de la protection internationale des IG via l'articulation et gradation des régimes de protection issus des accords bilatéraux UE/Pays Tiers et du droit international public ».

Les Indications géographiques sont partie prenante d'un système en mouvement, à la fois évolutif et réactif, propice à l'échange et au partage d'expériences pour répondre aux enjeux actuels : attentes sociétales de consommateurs, adaptation au changement climatique et au marché, rôles des autorités publiques, place des producteurs et gouvernance des IG, contrôle de la qualité, protection à l'international, sont autant de thèmes qui seront discutés pendant le colloque.

Association of European Regions for Products of Origin (AREPO)

The Association of European Regions for Products of Origin (AREPO) is a network of Regions and producer associations that deals with products of origin and EU quality schemes. AREPO is driven by a vision of Geographical Indications and quality products as tools for rural development and territorial planning. It aims to promote and defend the interests of producers and consumers of European regions involved in the valorisation of quality food products.

AREPO was established in May 2004 in Bordeaux by 16 regions from six EU Member States. It currently represents 33 European regions and over 700 associations of producers for more than 60% of European GIs.

Organisation Africaine de la Propriété intellectuelle (OAPI)

L'Organisation Africaine de la Propriété intellectuelle (OAPI) est une Institution intergouvernementale créée en 1962. Elle a pour missions principales d'assurer la protection des créations intellectuelles (inventions et innovations technologiques, signes distinctifs, designs des objets industriels et artisanaux, nouvelles variétés végétales, etc.) et d'accompagner le développement technologique des 17 Etats membres par une utilisation judicieuse de la propriété intellectuelle.

Dans l'optique d'aider les producteurs locaux et les artisans de ses Etats membres à tirer profit de la propriété intellectuelle en tant qu'outil de compétitivité économique, l'OAPI s'investit à promouvoir les produits de terroir et de l'artisanat jouissant d'une qualité spécifique et leur reconnaissance en Indications Géographiques Protégées (IGP).

A date, l'OAPI a déjà enregistré huit (08) indications géographiques issues de six (6) des Etats membres. L'un de ces produits, le poivre de Penja (Cameroun), est également enregistré auprès de l'Union européenne. Le processus de labélisation de neuf (09) autres produits dans cinq (05) Etats membres se poursuit. A terme, il s'agit de faire en sorte que chacun des dix-sept (17) Etats membres puisse compter au moins deux (02) produits emblématiques enregistrés en indications géographiques protégées ou en marques collectives.

Swiss Federal Institute of Intellectual Property - Institut Fédéral suisse de la Propriété Intellectuelle



L'Institut Fédéral suisse de la Propriété Intellectuelle est le centre de compétences de la Confédération pour toutes les questions touchant aux brevets, aux marques, aux indications de provenance, aux designs et au droit d'auteur, pour lesquelles il représente la Suisse sur le plan international.

La Suisse s'engage depuis des décennies au niveau international pour une meilleure protection des indications géographiques, parce que la reconnaissance de ces droits de propriété intellectuelle est favorable à l'équité, au développement socio-économique et à la valorisation des patrimoines culturels.

C'est dans cette perspective que l'IPI met en œuvre les projets de coopération internationale dans le domaine de la propriété intellectuelle et plus particulièrement des indications géographiques. Les projets terminés et en cours, dont la plupart sont réalisés sur mandat du Secrétariat d'Etat à l'Économie, concernent notamment les pays suivants : Afrique du Sud, Albanie, Colombie, Ghana, Indonésie, Iran, Pérou, Serbie, Tunisie.

The Swiss Federal Institute of Intellectual Property is the federal government's centre of competence for all matters relating to patents, trademarks, indications of source, designs and copyright, for which it represents Switzerland at the international level.

For decades, Switzerland has been committed to improving the protection of geographical indications at the international level, because the recognition of these intellectual property rights is conducive to equity, socio-economic development and the enhancement of cultural heritage.

It is in this perspective that the IPI implements international cooperation projects in the field of intellectual property and more particularly geographical indications. The completed and ongoing projects, most of which are carried out on behalf of the State Secretariat for Economic Affairs, include the following countries: Albania, Colombia, Ghana, Indonesia, Iran, Peru, Serbia, South Africa and Tunisia.

A.1 Autorités Publiques Locales & IG

Protection of fish from wild catch of Lake Constance

Alexander Wirsig, Richard Balling, Wolfgang Heisrath, Bruno Krieglstein, Michael Baldenhofer and Andreas Cretnik[1]

Abstract **– Lake Constance (German: 'Bodensee') is Europe's third largest freshwater lake. Its shorelines are bordering three countries. The lake represents an important drinking water reservoir and - from the food perspective - fish source for the region. However, in the last decades, the situation of commercial fisherman on Lake Constance continuously deteriorated hardly allowing to sustain an economic livelihood. In a multi-stage stakeholder process, a protection strategy for the preservation of fish from wild catch of Lake Constance was elaborated. Establishment of common quality standards in a statute and international registration of a collective mark was achieved. The study demonstrates the importance of support from public and private organizations to address the complex interests of stakeholders.**

Keywords **– indigenous species, EU quality schemes, geographical indications from multi-countries.**

Introduction

Lake Constance (German: 'Bodensee') is Europe's third largest freshwater lake. Its international shorelines (Figure 1) are bordering the Swiss cantons of St. Gallen, Thurgau, and Schaffhausen, the Austrian state of Vorarlberg and the German states of Bavaria and Baden-Württemberg. The lake represents an important drinking water reservoir and - from the food perspective - fish source for the region.



Figure 1. International shoreline of the fishing area.

Around 30 species of fish live in Lake Constance. In particular, the whitefish 'Bodenseefelchen' (*Coregonus wartmanni*) and to a lesser extent the European perch (*Perca fluviatilis*. German: 'Kretzer'), enjoy great popularity by local consumers and tourists. Beyond economic benefits through fishing, an intact Lake Constance fishery is of significant importance for both the culinary heritage of the region and its touristic sector.

However, in the last decades, fish yields in Lake Constance declined sharply to around 435 t (mean value over the last ten years) resulting in around 4 tons per fishing patent (LAZBW, 2021). These catches hardly allow to sustain economic livelihood of professional fisherman of Lake Constance. The increasing purity of the lake water led to a depletion of nutrients, in particular of phosphorus, which in turn resulted in a decrease in algae and plankton growth and subsequently in decreasing fish yields. An active or passive fertilization is incompatible with the goal of water protection and would endanger both: the natural ecosystem and the fragile balance of user interests in the region represented by the public actor 'International Conference of Lake Constance' (IBK, www.bodenseekonferenz.org). In order to meet the ever-increasing demand of fish at Lake Constance by consumers, tourism and gastronomy, around 500 to 600 tons of coregons (whitefish, vendace) are imported and sold as whitefish, currently. Low level of self-sufficiency of around 50% with fish from wild catch of Lake Constance encourage fraud with fish from other origin (Landtag BW, 2021).

To this end, regional and local public actors such as e.g. the association for integrated rural development at Lake Constance, the agricultural ministries of the respective regions and their entrusted agencies e.g. the food promotion agency (MBW) from the state of Baden-Württemberg, initiate and support measures to improve and secure the economic situation and livelihood of Lake Constance fisherman and to preserve their traditional methods and skills used to

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catch the Lake Constance fish. By protecting the geographical designation "Wildfang Bodensee" for fish from wild catch of Lake Constance following goals shall be achieved:

- reduction of imports and fraud
- preservation of traditional fishing methods and maintenance of a high quality
- increase of added value for the fisherman

Methods

Multi-stage stakeholder process

In order to consider the interests of the actors on the international shoreline of the geographical area common quality standards which reflect traditional fishing methods were developed in a multi-stage stakeholder process initiated by public and private organizations. Only fish from wild catch caught with traditional fishing methods reflecting the regional knowledge and skills at Lake Constance shall be permitted.

Tools for preservation

Intellectual property rights such as Geographical Indications (GIs) represent an option to control access to local and traditional resources. To register the name of a product as GI, the EU producers or producer groups need to lay down the product's specifications and link to the geographical area, if applicable (BLW, 2017; SVGH, 2021). Collective Marks (CMs) represent a further possibility of protection. This is a trademark that is registered by an association for its members and lays down the rules of use in a binding statute. CMs can refer to the geographical origin as a special feature.

Results

On October 2020, an international association for the protection and promotion of fish from wild catch of Lake Constance was founded ('Schutzgemeinschaft Bodenseefisch e.V.', Wasserburg, Germany, www.bodenseefischerei.com). Apart from restaurateurs and processors the core of its 60 members are represented by professional Lake Constance fisherman from Austria, Switzerland and Germany - thereby reflecting the international shorelines of the lake. On January 2022 registration of the CM under the EU trademark system including the establishing of common quality standards in the trademark statute was achieved. In a binding statute common quality standards for the use of the CM were laid down on international level (Table 1).

Table 1. Statute of the international collective mark for wild catch of Lake Constance ('Wildfang Bodensee')*.

Criteria	characteristic
fisherman	Traditional fishing methods (gill nets, traps, row fishing rods etc.)
Restaurateurs and processors	Proof of origin, documentation of quality control and flow of goods

*EU: Appl. Nr. 018526860 and CH: Appl. Nr. 1654879.

Discussion and Conclusion

Support from public bodies and private organizations is essential to address complex stakeholder interests. Further, the preconditions of CMs such as the existence of a producer group and producer guidelines in form of a statute - although not directly comparable to the more detailed requirements of the product specification of GIs – may provide a basis for their later registration as GIs (Wirsig et al., 2021a). Subsequently in the next step fish from wild catch of Lake Constance will be applied as GI under the EU Quality scheme. In this process, other intellectual property rights granted by biodiversity NGOs such as the Slow Food Foundation for Biodiversity may additionally support the protection as GI (Wirsig et al., 2021b). In the event of successful registration, this would be a precedent for a GI shared by two EU Member States on common ground.

Acknowledgement

We would like to thank the fisherman and the public and private organizations for their efforts and support to protect fish from wild catch of Lake Constance.

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Protection of Geographical Indication in Vietnam: opportunities and challenges in achieving sustainable food systems

Nguyen Mai Huong, Delphine Marie-Vivien[1]

Abstract **– [1] Vietnam has favoured the adoption of geographical indication (GI) schemes since 2001. Opportunities have opened up to the Vietnamese GIs thanks to a number of multilateral and bilateral free trade agreements coming into effect, increasing demand for certified products. However, challenges still face those involve in the GI process, especially the post-registration phase. Indeed, there is a number of unused GIs and ineffective GIs, thus not bringing any benefit to farmers. This can be explained by the fact that far from being initiated by local producers and farmers, GI process has been led by "top-down" approach of state authorities. The "top-down approach" has conducted to inappropriate selection of products to be protected initially motivated by political and commercial considerations. We recommend appropriate selection of GIs based on two important factors: specificity of the product and motivation of the stakeholders of the value chain. In view of sustainability of the food system, the GI scheme is expected to embed an improved management model, an operational control system and a comprehensive educational and awareness raising plan targeted all value chain actors and consumers.**

Keywords **– Vietnam, top-down approach, sustainable food system**

Introduction

Geographical indications (GI) have been adopted as a policy tool to promote sustainable rural development in Vietnam since 2001. This process has been motivated and driven by deeper integration of Vietnamese economy into the regional and global economy. In addition to a significantly increasing number of protected GIs, Vietnam has successfully set up a relatively comprehensive and stable GI legal framework. National programs from the central government on development of intellectual property assets between 2005 and 2020 have favoured the GI scheme. Out of 106 GIs registered for Vietnamese products, nearly 90% are agricultural products which are sensitive to food safety and quality issues. The territorial approach of GI is believed to be effective in driving collective efforts towards sustainability of the food system (livelihood improvement, sustainable and responsible production and consumption patterns, and environmental protection) (FAO 2018). Around 50% of the Vietnamese GIs are registered abroad and offer opportunities to raise the added value of the Vietnamese GI products in the export markets.

Materials and methods

Research for this paper was done through a desk review of GI development and an empirical study of GIs models in Vietnam. The paper consolidates secondary data, including academic and scientific studies, researches, and reports of GI state management agencies. In addition, the analysis of GI management models was done through a study on 8 GIs of the project "Supporting development of PGI in Vietnam" funded by AFD between 2016 and 2018.

Results and discussion

Rapid increase of registered GIs

Vietnam has thousands of specialties, which represent the culture of localities, whose values should be promoted during global integration. Boosting GI should be part of any strategy to preserve biodiversity and traditional culture, strengthen trade competitiveness, promote local resources, fight trade abuse and fraud, or raise consumer awareness. By 31st December 2021, there were 115 GIs registered in Vietnam, 9 for foreign products and 106 for Vietnamese products, ranking Vietnam the second in the ASEAN after Thailand in protecting GIs. Phu Quoc fish sauce is the first Vietnamese GI protected in Vietnam (2001) and then protected in EU (2012). 39 Vietnamese GIs protected in the EU under the EVFTA, 04 GIs protected under UKVFTA, 03 GIs protected in Thailand, and 02 GIs protected in Japan offer opportunities for Vietnamese agricultural products to be better valued in the international market. Sales of GI products are promising as they become increasingly well-known among customers, as the case of Cao Phong orange (Hoang et al. 2020). This has led the government to encourage many communities to promote product quality to increase their value. However, the mushrooming GIs registration over the past 5 years has not reach the promising objectives because of poor operational management structure of GIs at local level. The heterogeneity of GI management models (including issuing management papers, granting GI rights of use, setting up the control procedure) challenges the effectiveness and benefits of GI protection, as well as the quality of the GI products compared to the mass-produced goods in different food systems.

Choice of products to be protected under GI

The GI system in Vietnam is characterized by the top-down model where the State assumes the preeminent role in the whole process (Hoang and Nguyen 2020; Pick and Marie-Vivien 2021). At the

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pre-registration phase, in all 8 studied GIs, the role of producers and other value chain actors in constituting GI specifications and building up the codes of practice was blur as GI registrations didn't stem from the willingness of the producers. In many cases, the identification of GI products is driven by the commercial and political considerations of the local government. Commercial considerations mean selection of products of large-scale production area and volume or products of high value for trading and export (such as fruits, coffee, tea, etc.). Accordingly, there is a blackash to distinguish regional and local products, which derived from long time tradition and practices that differ from a conventional, mass-produced items. Meanwhile, political considerations, driven by programs supporting the protection of origin-linked products either as *sui generis* GI or as certification trademarks, refer to the weight of the products in the local socio-economic development, following a sharp competition among products. As the producers are little involved in defining the products to be protected and the geographical area, GI have been amended after some years to fit the wish and strategy of local producers, regarding the product categories which includes roasted coffee for the GI Buon Ma Thuot Coffee and the geographical area which has been extended for Quang Tri pepper.

The majority of the agricultural GIs are fresh products and raw materials that raise challenges in terms of management. Indeed, 47% are fruits and rice, 27.4 % are perennial crops, 10.4 % are aquaculture products and 8.5% livestock products. Firstly, seasonality of fresh products, especially fruits (35 GIs) of which harvest seasons last between 1 and 3 months, hinders the wide use of GI signs along the whole chains. Secondly, GIs for raw material products such as coffee bean, cinnamon bark, star anise, etc. are mostly traded or exported in bulk, with limited recognition of GI signs by final consumers. Besides the little interest and commitment of local actors in adopting GI (Pick and Marie-Vivien 2021), neither traders nor importers have interest and demand for the use of GIs sign for these product. Third, some GIs are only 'symbol' of the local identity with little economic value (Hanh et al. 2021) (like Tien Lang rustic tobacco, Yen Tu Golden Apricots) and don't attract participation of value chain stakeholders. Therefore, those leads to the little use of GI labels in reality by both downstream and upstream actors.

Unoperational GI management system

The dominant position of State also prevents involvement of value chain stakeholders at the post-registration phase. Most of the GI application are filed by the State authority (43,1% by Provincial/District People Committee; 34,5% by DOST; 8,6% by DARD). GI management models in Vietnam distinguishes between right to own, right to register, right to manage and right to use. After registration, the number of organizations and individuals granted the GI right of use are very modest, for all registered GIs. Even, after a long time after registration, the right to use is not granted to the eligible producers/actors (it took 8 years for Van Yen cinnamon, 5 years for Nang Thom Bay Nui rice). Another deficiency of unoperational management models is the control system which is not implemented in practice. Except Phu Quoc fish sauce, seven out of eight GI studied don't operate the control, with inconsistent coordination and combination between internal control and external control. Many GIs don't bear the GI sign when being traded in the market because of lack of a distribution channel dedicated to the GI products while farmers and producers still follow traditional trading practices (for example, selling products to private collectors). Only two out of eight GIs use GI signs frequently (Phu Quoc fish sauce, Buon Ma Thuot coffee), while the remainders (Luc Ngan litchi, Ninh Thuan grapes, Tan Trieu pomelo, etc.) only tested GI signs at the beginning of the GI projects. In consequence, the direct impacts on businesses and households are not significantly captured. For effective GIs, it really needs a "pulling" driver from the markets (the need to use the GI sign by the traders, exporter, importers) as well as a "push" to encourage producers and collective organization to take their voice in the GI process through promotional activities and raising GI awareness campaign.

Conclusion

Opportunities have opened up to the Vietnamese GIs thanks to a number of multilateral and bilateral free trade agreements, increasing demand for certified products both at home and abroad. The recent Strategy for sustainable agriculture and rural development to 2030 and vision 2045 together with the coming National Action Plan on transparent, responsible and sustainable food system underline the branding strategy for regional and local products, of which GI scheme is on high agenda. However, in view of sustainability of the food system, the GI scheme is expected to embed an improved management model, an operational control system and a comprehensive educational and awareness raising plan targeted all value chain actors and consumers. The choice of products should be based on two important factors: specificity of products and motivation of stakeholders in the value chain, especially the organizations of producers and traders.

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The patrimony blind spot of Geographical Indication in state-centred governance: Mikawa region agri-food products in Japan

Hart N. FEUER, Fatiha FORT[1]

Abstract **– Geographical Indication (GI) has been employed in Europe to promote well-known agri-food products, many with reputations going back hundreds of years, so there has been an assumption that the protection of such historical patrimony would materialize in countries adopting European-style GI policies. However, from a public policy view in many new GI countries, the primary goal for GI has more narrowly been the expansion of economic opportunities and exports. The question we raise in this paper concerns the extent to which the prioritization of economic growth encourages GI regulators to accept and even encourage ahistorical territorial and production specifications that disadvantage or discourage the oldest and most traditional producers. This argument centres around two renowned producers in the historical Mikawa Region of Japan, which have struggled to realize the potential of GI or have become embroiled in legal disputes. We document how the GI authorities' top-down implementation and utilitarian view of promoting production has clouded their ability to evaluate patrimony based upon historical merit, leading to unfavourable starting positions for famous products with hundreds of years of history.**

Keywords **– Japan, patrimony, top-down, GI**

INTRODUCTION

The global spread of Geographical Indications (GI) policies has provided heritage agri-food producers an opportunity to promote and safeguard the link between their products and a geographically-specified reputation, but this potential is highly dependent on the institutional structures created for to evaluate and certify claims of producers (Marie-Vivien & Biénabe, 2017). In East Asia, as in many regions where independent European-style GI policies have been recently adopted, governance of GIs has been predominantly state-centred, with governments actively shaping the landscape they regulate (Feuer, 2020). Japan, which has a long and rich history of homegrown territorial agri-food certifications, has additionally implemented two GI systems in recent decades: a regional collective trademark in 2006 (administered by the Patent Office) and a *sui generis* GI in 2015 (implemented by the Ministry of Agriculture, Forestry and Fisheries, MAFF). Generally, the collective trademark adopts a hands-off approach, allowing producers to independently make submissions and evaluating them based on the strict criteria of patent law, including originality, historical provenance, and legitimate representation (Port, 2014). The *sui generis* GI system also refers to such criteria but, as we argue in this paper, can also prioritize applicants who represent economic growth over historical patrimony. The potential conflicts and contradictions associated with the business-oriented GI model promulgated by the MAFF has been documented (Galeazzi, 2018), particularly in how it impacts the outcome for long-established, so-called "old glory" products (Defrancesco & Kimura, 2018).

Since the inception of the *sui generis* GI system, the Mikawa region of Japan, a historical territory absorbed into Aichi Prefecture in 1871, has been at the centre of numerous conflicts and issues related to the approach of using GIs as a tool for economic expansion. By 2022, it is the only region with a withdrawn GI and a GI under legal review; it also features numerous cases of renowned agri-food products that are not attracted by the GI model presented by the MAFF. Particularly for "old glory" products, in which weak or antagonistic governance has persisted for generations, we argue that the privileging of economic output by an interventionist GI authority will have negative impacts on heritage preservation. Japan's early experiences can serve as a warning sign for the many governments in East Asia and elsewhere who impose a politicized market logic on the unfolding of their GI system.

METHODS

The primary data is derived from semi-structured interviews among producers of Hatcho Miso and Kokonoe Mirin in the Mikawa region in November 2021, as well as follow-up data provided in the intervening months. These data were analysed qualitatively. Individual accounts were triangulated through reference to publicly available information by various government ministries, legal documents, and re-analysis of accounts of the Mikawa region by scholars and students, who have evaluated different agri-food products in the preceding 10 years.

RESULTS

Strong governance is scarce for famous products

The agri-food products studied in this paper are long-established, with a history ranging from 250 years (Kokonoe Mirin) to more than 650 years (Hatcho Miso). It can be assumed that, during the

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intervening years, the relationships between neighbouring producers have undergone many evolutions – competition, cooperation, independence, and everything in between. If researchers in 2021 encounter weak, strained, or combative relations, there is likely to be a long-standing basis for this.

In fact, Kokonoe Mirin, one of the 7 remaining producers in the region (down from 30 historically) does not have a working relationship with neighbouring mirin producers, except for contributing to an annual festival. Even in the context of declining mirin consumption across Japan, Kokonoe do not see other (far more industrialized) producers as a partner for promoting their product, which is predominantly artisanal. Divergent views about production scale and quality continue to make collaboration in a producer group—required in GI application—unlikely.

The producer landscape for Hatcho Miso is even more contentious. Two producers with a provenance of more than 600 years are located in the namesake municipality (*Hatcho district, Okazaki City)*, while other producers of a similar red miso are distributed both inside and outside of the Mikawa Region. A timeline of recent interactions between these producers (see Figure 1) reveals the uneasy efforts before 2006 to cooperate within the framework of the Aichi Prefectural Miso and Tamari Soy Sauce Industry Cooperative, due to disagreements about usage of the term "Hatcho Miso".

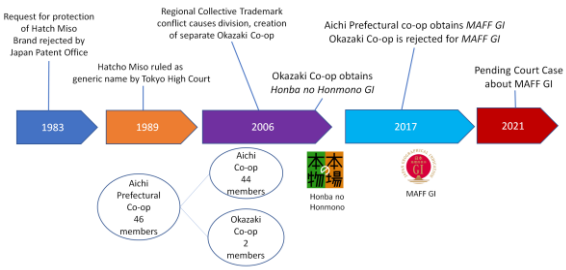


Figure 1. Timeline of relationship between the Aichi Prefectural and local Okazaki Co-operatives and GI certifications.

Forceful efforts by other members to use the name Hatcho Miso in a collective trademark splintered the prefectural cooperative and led to the establishment of a competing producer association from Okazaki. Strict patent laws led the industry cooperative to abandon their application for a collective trademark, but it was eventually granted a GI from MAFF on economic grounds, leading to legal action by Okazaki producers that is still ongoing.

Top-down control disadvantages heritage producers

In both cases of Mikawa products, the expansionist market orientation of MAFF's GI is a double-edged sword for "old glory" producers. They value intellectual property protections and synchronization with global standards, but are ambivalent toward efforts to set lower, or more "inclusive" standards that valorise rivals with less patrimony and unique product standards. MAFF can justify privileging inclusivity as an effort to revitalize a declining miso sector, while historical producers may view this as allowing industrial producers to free ride on long-established reputation. Kokonoe Mirin consider that many neighbouring producers have diverged too far from authentic production practices to work with. Okazaki Hatcho Miso producers are similarly proud of their uncompromising commitment to authenticity, which even included shutting down during World War II rather than following war-time production orders.

Conclusions

Our analysis shows that the historically legitimate regional delimitations and constellations of traditional practices that have defined very old products are marginalized or undervalued by strong GI regulators with an economic expansionist focus. Merit-based or democratic mechanisms for inscribing GIs based on internal motivations, such as pride, fraud-prevention, and global recognition are replaced by strategic concerns reflecting political goals, such as inclusivity, efficiency, upscaling, and export. For Hatcho Miso, bubbling rivalries concerning authenticity and exclusivity led to duelling GI applications and a deterioration of cooperative behaviour. For Kokonoe Mirin, longstanding competition between breweries in the region and the lack of differentiation offered by the GI label failed to galvanize mirin producers in the Mikawa region to cooperate.

For long-standing producers, hesitance to industrialize represents a raison d'etre. Therefore, the model of economic expansion governed by MAFF presents a disadvantageous platform for adjudicating historical rivalries. While fractious cases have been overcome worldwide, such as in the case of Aceto Balsamico di Modena in Italy, a more conventional intellectual property framework like trademarks may offer more flexibility for historical "frenemies" to differentiate more precisely while protecting patrimony. Such outcomes may also have relevance for European GIs, in which industrial players are beginning to play more influential roles.

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A.2 Autorités nationales et IG

Israeli geographical indications - Unrealized potential that can be realized?

Liel Uziahu[1]

Abstract – The protection of Geographical Indications (GIs) is being explored increasingly worldwide as a tool for supporting local sustainable development, stimulating the economy, increasing international trade, and promoting cultural and social exposure. However, the field of GIs in Israel is undeveloped as academic writing and research on Israeli GIs are extremely limited.

Israel has a great potential of producing various bound-to-origin products. The Land of Israel is a unique and diverse region.

The purpose of this paper is to explore GIs from the Israeli perspective. The paper discusses the Israeli legal framework regarding GIs and appellations of origin (AO). However, notwithstanding the evolution of Israel's legal framework over the years, problems related to the GIs regulation remain.

Not only do regulation problems make the registration more difficult. Focusing on the Israeli wine industry as the main case study, this paper traces the possible reasons for not realizing the potential of protecting Israeli products as GIs.

By examining the great benefits GIs registration offers, this paper puts forward arguments supporting a policy of raising awareness and encouraging manufacturers, by the Israeli public authorities, to register their products as GIs.

Keywords – Geographical Indications, Israel, wine industry, consumers, bound-to-origin products, Lisbon Agreement, awareness, public authorities

Introduction

GIs are distinctive signs which enable consumers to distinguish between products with geographical origin-based characteristics and others without those characteristics. GIs can thus be a key element in developing quality-bound-to-origin products with great economic impact. Furthermore, GIs convey the cultural identity of a nation, region, or specific area. They can give added value to local products and thus make them preferred by consumers. GIs can apply to any product type. However, most of them are food, beverages, and agricultural products (Micara, 2016).

There is no great difficulty to recall different GIs from different countries around the world. This is not the case when one tries to recall Israeli GIs. This is no wonder since there are only 7 of them. Israel has a great potential of producing various bound-to-origin products. The Land of Israel is a unique and diverse region. Although it is one of the smallest countries in the world, it lies between diverse geological, physiological, and climatic elements. Israel enjoys several climatic zones despite its limited area. Furthermore, Israel is unique as a country with an unprecedented number of immigration groups from around the world, with local cuisine that is still in the characterization stages (Haddad, 2017).

The question that arises is why these characteristics are not reflected in a significant GIs registration, given its benefits.

The purpose of this paper is to explore GIs from the Israeli perspective. The paper discusses the Israeli legal framework regarding GIs and AOs. At first glance, it appears that by adopting the international legal framework, Israel has an extensive legal framework for protecting local goods. It has a sui generis protection system and both GIs and AOs are governed, by statute, under the AOs and GIs (Protection) Law. Israel is also a member of the Lisbon Agreement for the protection of origin and their international registration. However, notwithstanding the evolution of Israel's legal framework over the years, problems related to the GIs regulation remain.

The paper presents the Jaffa oranges case. The only Israeli AO that has been registered until recently. The paper tries to answer the question of why so many years have passed since the Jaffa oranges registration to the small number of registrations in recent years.

Focusing on the Israeli wine industry as a study case, the paper traces the possible reasons for not realizing the potential of protecting Israeli products as GIs. No actual legislative steps have yet been taken towards a mandatory classification of wine regions. There is a lack of effective means of supervision and control, a lack of a body legally authorized to update the wine regions, and a lack of clear and binding professional criteria regarding the determination of the boundaries of the wine regions (Ulpan, 2017).

Additional explanations refer to the influence of the American perspective on GIs over Israel and commercial interests.

By examining the great benefits GIs registration offers, this paper will put forward arguments supporting a policy of raising awareness and encouraging manufacturers, by the Israeli public authorities, to register their products as GIs.

Methods

The paper gives an overview of the development of AOs and GIs in Israel. Examining the Israeli legal framework of GIs and AOs and the case studies of the

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Jaffa oranges and the Israeli wine industry, the paper tries to explain why there is no extensive registration of GIs and AOs in Israel.

Results

It was found that there is one general explanation for the phenomenon of the lack of GIs registration in Israel and several more specific explanations.

The general explanation regards the American perspective on GIs. Although Israel has a sui generis protection system like many prominent countries that have extensive registration of GIs, there are only a few registered GIs. The Israeli mindset is the shadow of the American mindset in many ways - culturally, politically, socially, and economically. The field of GIs is no different.

The United States, historically, has not had separate law, apart from its system of trademarks, to protect GIs. According to the American perspective, GIs are similar to trademarks in that they function as source indicators. Therefore, the United States believes that the names of many products should not be protected based on their status as GIs because such names do not deserve protection under trademark law; many product names are considered to be generic terms (Goldberg, 2001).

Following the American influence, during its years Israel tried to promote globalization. This is at the expense of sanctifying the locality which is one of the foundation values of GIs. Therefore, there may be an underestimation of GIs registration.

In addition, an analysis of the case studies shows there are many lacunas in the legal framework that make it difficult to register GIs in Israel. Israeli wine legislation has developed quite sporadically and incidentally. It is mainly external events that have initiated the few legislative initiatives related to the cultivation of the wine vine, the production of the wine, its marketing, the import and export of wine products, and so forth. Only a few pieces of legislation refer, among other things, to wine as well. Most of them deal with aspects of protecting the public as a food consumer and completely ignore the uniqueness of the wine. Many of these pieces of legislation originated during the British Mandate, and they were absorbed with the establishment of the state into the Israeli legal system. Over the years, changes and adjustments were made to them.

An additional explanation is commercial interests that reduce the motivation for registration. For example, Israel is one of the only countries that has not joined the Cheese Convention (the Stresa Convention), mainly because Israel's leading dairy company, Tnuva, is the largest exporter of Feta cheese to the United States.

Conclusions

The American perspective weakens the locality and blurs the unique traditions. Israel has an unprecedented number of immigration groups from around the world, but the local cuisine is still in the characterization stages and does not always welcome these cooking traditions - for political and cultural reasons. Without a strong characterization of the local cuisine, the local products suffer from a lack of attention which can lead to a narrow registration. GIs convey the cultural identity of a nation, region, or specific area. Only when Israel will give a central place to its traditions and its local products, GIs registration will increase.

In addition, the legal framework must be addressed. As for the Israeli wine industry, actual legislative steps must be taken toward a mandatory classification of wine regions and actual actions must be taken regarding the supervision of the use of wine region names on labels of Israeli wine bottles.

Another conclusion is that raising awareness by public authorities among consumers and manufacturers about the many benefits of GIs may outweigh the existing commercial interests. GIs system contributes to brand recognition which is an essential aspect of marketing. Consumers pay more attention to the source of the product and refer to the specific characteristics of different products. Also, the consumers may benefit from using GIs by receiving extensive information about the products and preventing them from being misled about product characteristics. The GIs help market products and drive economic development. GIs products often also have other important influences such as in the fields of tourism and gastronomy. In addition, the use of GIs can promote rural development.

The article tried to open a preliminary window into the world of GIs registration in Israel with the object that the Israeli GIs registration would be expanded so that Israeli products would enjoy its many benefits.

Acknowledgment

I would like to thank the reviewers for providing my scientific contribution helpful comments and recommendations.

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Hacia una mejor coordinación interinstitucional para una operación eficiente y completa de las entidades delegadas de las DOP en Colombia

Philippoteaux, C. ; Pineda-Suarez, P.[1]

Resumen –

En Colombia, existen: la entidad encargada del reconocimiento de las DOP, la Superintendencia de Industria y Comercio - SIC, la entidad responsable de vigilar el cumplimiento de las normas sanitarias para alimentos procesado, el INVIMA y las entidades delegadas de la administración de las DOP. Estas últimas, al momento de ejercer el control de las DOP, encuentran productos cuyo nombre de registro sanitario vigente entra en conflicto, o es similar o igual al de una DOP y por falta de poder sancionatorio, la entidad delegada no logra imponer un uso correcto de la DO, además de encontrar que los productores prefieren cumplir con la norma sanitaria que con el reglamento de uso de la DOP.

La situación anterior es solo una ilustración del impacto que causa la falta de coordinación interinstitucional sobre la buena gobernanza y operación eficiente de las entidades delegadas de las DOP en el país.

Por lo anterior, se identificó que las entidades delegadas de las DOP están limitadas en sus tareas de control, mientras no haya más apoyo por parte de las instituciones públicas, de forma ordenada y coordinada, consecuencia de ello han forzado a los productores a jugar con las directrices del reglamento de uso de la DOP y las normas sanitarias, tratando de cumplir con ambos, y a veces, cometiendo infracciones con uno o ambos.

Palabras clave: **Bocadillo Veleño, SIC, Entidad delegada, DOP, Colombia, coordinación interinstitucional, normas sanitarias.**

Introducción

En Colombia, la protección a través de las denominaciones de origen protegidas (DOP) es declarada por la Superintendencia de Industria y Comercio (SIC), quien es también la entidad encargada de delegar la facultad de autorizar el uso de este signo a un tercero que represente los beneficiarios de la DOP y pueda demostrar que cumple con los requisitos legales y la idoneidad para realizar las labores de promoción, vigilancia y control.

A la fecha, solo 15 de las 29 DOP declaradas cuentan con entidad delegada y de estas, 12 son entidades delegadas de DOP agroindustriales. Pocas cumplen con la totalidad de los requisitos establecidos por la SIC: implementar un sistema de control atado a su reglamento de uso, y no han podido operar eficazmente debido a dos razones principales: la falta de coordinación interinstitucional y el bajo acompañamiento a las entidades delegadas por parte del Estado.

Proponemos ilustrar el tema a través del caso de las normas sanitarias: en el país, aparte de las flores, las DOP agroindustriales son alimentos, que deben cumplir la normatividad expedida por el Ministerio de Salud y Protección Social y responder ante la autoridad de control sanitario, es decir el Instituto Nacional de Vigilancia de Medicamentos y Alimentos – INVIMA.

En este estudio se puede ver que las normas sanitarias impiden cumplir estrictamente el reglamento de uso de las DOP y, por lo tanto, limitan la visibilidad de las DOP, el rol de control de las entidades delegadas y, por ende, el buen desarrollo económico de las DOP.

Metodología

Este estudio tiene un enfoque cualitativo de tipo exploratorio, debido a que el tema de estudio ha sido poco indagado. Cabe resaltar la importancia de esto en la investigación a desarrollar, pues el objetivo es obtener información que permita comprender el comportamiento de los actores, considerando la necesidad de conocer los procesos operativos que se realizan al interior de las entidades delegadas y sus relaciones con las instituciones, al igual que las relaciones entre estas instituciones respecto a las DOP.

El método utilizado fue un estudio de caso: tomando como referencias las normas sanitarias y la coordinación entre la SIC, el INVIMA y la entidad delegada.

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La selección de la muestra se realizó por conveniencia, teniendo en cuenta la facilidad y el acceso a la información y la disponibilidad de tiempo de las personas. De esta forma se seleccionó una organización que ya tiene la delegación de la facultad de autorizar el uso de la DOP por parte de la SIC y otra organización que se encuentra en proceso de obtenerla. La primera es Fedeveleños, entidad delegada para la gestión de la DOP Bocadillo Veleño, y la segunda se basa en la experiencia de la DOP del Queso Paipa.

Dentro de las técnicas de recolección de información se utilizaron:

- Observación: las autoras se han relacionado con diferentes entidades delegadas y han podido identificar aspectos donde hace falta la coordinación interinstitucional.
- Entrevistas: Se realizó entrevista semiestructurada a miembros de las dos organizaciones seleccionadas dentro de la muestra.

Resultados

En Colombia, todo productor de alimentos procesados debe realizar un registro ante el INVIMA, inscribiendo: fabricante, nombre del producto, marca del producto, entre otros datos. En el nombre del producto, algunos fabricantes registran un nombre correspondiente a una DOP, sin importar la ubicación del negocio o la relación con la DOP. Hasta la fecha, el INVIMA acepta dicho nombre en los registros, argumentando que el nombre que el fabricante coloque a su producto no afecta su inocuidad, y, por lo tanto, no tiene riesgos sanitarios para el INVIMA.

El conflicto se da en el rotulado del producto cuando se revisan envases o etiquetas en productores que no cuentan con la autorización de uso de la denominación de origen, sea por parte de la entidad delegada, o directamente por parte de la SIC. El INVIMA exige que el rotulado esté acorde al registro de información que han realizado ante ellos mientras que la entidad delegada para la autorización de uso y administración de la DOP no le ha permitido usar dicho nombre. Para el productor, es más importante cumplirle a la entidad sanitaria, que tiene facultad de sancionar en el momento de la inspección, mientras la entidad delegada tiene poco poder en el momento de su visita, y poca capacidad de acción, sea por desconocimiento, falta de capacidad técnica, humana y financiera.

Se evidenciaron también conflictos entre lo estipulado en las normas sanitarias y en los reglamentos de uso: leyendo los dos documentos en paralelo, resulta imposible poder cumplir con ambos. Eso demuestra que los productores navegan entre dos orientaciones, sin saber bien cual deben seguir de manera más estricta.

Se identificó que las normas sanitarias que generan conflicto con las DOP han sido establecidas antes del reconocimiento de la DOP, permitiendo pensar que realmente existe falta de coordinación y comunicación entre la oficina de propiedad industrial y la autoridad de control sanitario.

Los conflictos mencionados son solo ilustrativos de posibles otros e inconvenientes que pueden tener las entidades delegadas a la hora de ejercer sus acciones de control y seguimientos a los productores autorizados.

Conclusiones

La investigación inicial realizada en tan solo 2 DOP de las 29 que existen en Colombia ilustra la necesidad de entender mejor el signo como un signo de vocación colectiva de manera más amplia. Es decir, no solo debe y puede estar responsable la entidad delegada para el buen uso, autorización y control de su DOP, sino que debe poder contar con un respaldo técnico de las diferentes entidades del estado: la oficina de PI, pero también la autoridad sanitaria, en nuestro ejemplo.

Adicional a esto, al indagar más casos de otras DOP, se podría evidenciar la necesidad de vincular otras entidades como el ministerio de comercio, ministerio de agricultura, ministerio de cultura, el ministerio de protección social, entre otros, no solo para el apoyo a la entidad delegada sino desde el inicio para que participe durante el proceso de evaluación del reconocimiento de la DOP, con el fin de alcanzar una armonía regulatoria mediante un proceso de Análisis de Impacto Normativo (AIN) o mediante el acuerdo de exceptuar la aplicación de normas previas a la indicación geográfica.

Las DOP deben poder sentarse en la mesa con la oficina de PI, la SIC en Colombia, para establecer un plan de trabajo práctico, mucho más allá del cumplimiento de la norma de PI. Solo así se podrán tener entidades delegadas fuertes, y DOP con un impacto real y una visibilidad importante. El tamaño, la organización administrativa y realidad de las entidades delegadas en Colombia no les ha permitido por el momento tener esta discusión, y muchas prefieren tratar de contentar todas las otras autoridades de control, incluyendo a la DOP.

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B. Mécanisme international de protection des IG

The WIPO Lisbon System – EU accession to the Geneva Act

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Abstract –
The EU has been following an effective policy of protection of Geographical Indications (GIs) for over 20 years, mainly for agricultural products, both on the internal market and in third countries. In addition to bilateral and regional agreements with third countries that have the sole purpose of protecting GIs or provide for such protection in a separate section, international GI protection through multilateral agreements plays an increasingly important role. The Lisbon System, administered by the World Intellectual Property Organization (WIPO), is one of the two major multilateral tracks for GI protection, the other being the Agreement on Trade-Related Aspects of Intellectual Property Rights (the TRIPS Agreement) of the World Trade Organization (WTO). The Lisbon System is based on the Lisbon Agreement of 1958 for the Protection of Appellations of Origin and their International Registration and the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications, which entered into force recently. This article gives a brief overview of the Lisbon System and its review, the Geneva Act and the EU as a Contracting Party to the Geneva Act.

Keywords **– WIPO Lisbon System, Lisbon review, Geneva Act, EU implementation of the Geneva Act**

History of the Lisbon System

The Paris Convention of 1883 for the Protection of Industrial Property was the basic instrument for international intellectual property regulation before the WIPO Treaties and the WTO TRIPS Agreement. Its principles are national treatment for foreigners, priority given to registered IP rights, and minimum substantive standards of protection. It established a union of which each contracting State is a member. The Paris Convention was the first multilateral agreement that included "indications of source or appellations of origin" as objects for protection by national industrial property laws. Both GIs and appellations of origin (AOs) can be considered to be a species of the genus "indication of source" in the sense of the Paris Convention. The Madrid Agreement of 14 April 1891 for the Repression of False or Deceptive Indications of Source of Goods extended the scope of protection for indications of source. Also in 1891, the Madrid Agreement Concerning the International Registration of Marks was signed, which since has been used by many countries to protect GIs as collective, certification, or guarantee trade marks. Since then, the world has been divided between those countries that protect GIs through an ad hoc system, and those that use their trade mark law.

The "Lisbon Agreement for the Protection of Appellations of Origin and Their International Registration" of 1958 was established as a Special Union under Art.19 of the Paris Convention in reaction to the failure to strengthen the rules under the Paris Convention and the Madrid Agreement of 1891. It entered into force in 1966. It was revised at Stockholm in 1967, and amended in 1979. It has been administered by the World Intellectual PropertyOrganization (WIPO) since the creation of this organisation (a self-funding agency of the United Nations) in 1967.

The parties to the Lisbon Agreement undertake to protect on their territories AOs, as defined in Art.2, of products of the other signatories of the Agreement provided they have been registered at WIPO. In order to qualify for international registration, the protection of the AO must have been formalised first in the country of origin by means of either legislative provisions, or administrative provisions, or a judicial decision or any form of registration. The parties are required to protect AOs, recognised as such in their country of origin and registered at the International Bureau of the WIPO, unless they declare, within one year of receiving the notice of registration, that they cannot ensure the protection of a registered appellation within their territory.

There are currently 30 contracting parties to the Lisbon Agreement, seven of which are Member States of the EU: Bulgaria (since 1975), Czech Republic (since 1993), Slovakia (since 1993), France (since 1966), Hungary (since 1967), Italy (since 1968) and Portugal (since 1966).

The original Lisbon Agreement of 1958 presented a number of problems diminishing its effectiveness as an instrument of effective multilateral protection. In particular, it does not cover all GIs, but is limited to AOs, which are more narrowly defined than GIs are. Moreover, only states can join so that international organisations like the EU cannot become members. In September 2008, the Assembly of the Lisbon Union established a Working Group on the Development of the Lisbon System. From 2009, the Working Group engaged in a full revision of the Lisbon Agreement involving: (i) the refinement of its legal framework; (ii) the extension of the Lisbon System to all GIs; and (iii) the possibility of accession by intergovernmental organisations. A Diplomatic Conference completing the revision process took place in Geneva from 11–21 May 2015 and adopted the "Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications" on 20 May 2015. The Geneva Act entered into force on 26 February 2020, three months after the EU as the fifth eligible party deposited its instrument of accession.

The Geneva Act

The Geneva Act responds to the EU's objectives for the review: it extends the scope of the Lisbon System beyond AOs to all GIs; it is compatible with the TRIPS Agreement and the relevant EU legislation on the protection of GIs for agricultural products; and it allows international organisations (such as the EU) to become contracting parties.

The revised Agreement sets out the modalities, conditions and procedures under which the parties may request protection for registered AOs and GIs, providing for appropriate guarantees and transitional periods.

Each contracting party should protect registered AOs and GIs in its territory within its own legal system and practice, but in accordance with the provisions of the Geneva Act. The level of protection under the Geneva Act is essentially equivalent to the relevant EU rules. Registered AOs and Gis cannot be considered to have become generic in a Contracting

Party. AOs or GIs may coexist with prior trade marks, in line with relevant EU legislation on the relationship between GIs and trade marks and, in particular, with the WTO Panel's findings in the dispute between the EU and the USA/Australia (DS174/DS290), according to which coexistence is based on Art.17 of TRIPS. Moreover, the Geneva Act provides for the possibility of a period for phasing out older uses.

As of 12 April 2022, there were 11 Contracting Parties to the Geneva Act.

The EU in the Geneva Act

For the EU as the major exporter of products benefiting from GIs, the possibility for accession to the Geneva Act was an essential element of the Lisbon review. In 2017, GI exports to non-EU countries accounted for €17 billion, representing 15.5 per cent of extra-EU trade of food and beverages (a total of €110 billion). EU law on the protection of GIs for agricultural products and foodstuffs (Regulation 1151/2012), wine (Regulation 1308/2013), spirits (Regulation 2019/787) and aromatised wine products (Regulation 251/2014) has created an exclusive protection system at EU level. EU Member States are therefore not supposed to have agricultural product GI protection systems of their own nor themselves to protect agricultural GIs of third country members of the Lisbon System under such GI systems. A proposal for an EU-wide protection system for craft and industrial product GIs is currently in the legislative process. More broadly, the ruling of the European Court of Justice (ECJ) of 25 October 2017 (C-389/15, *European Commission v Council of the European Union*) clarified that the EU has exclusive competence for the Geneva Act since the revised Lisbon Agreement is covered by the EU's common commercial policy (trade aspects of intellectual property). The ECJ found that it is essentially intended to facilitate and govern trade between the EU and third states and, secondly, that it is such as to have direct and immediate effects on such trade. To be able to exercise its exclusive competence in this domain, the EU had to accede to the Geneva Act. On 7 September 2019, the Council adopted Decision (EU) 2019/1754 authorising the EU's accession to the Geneva Act as well as Regulation (EU) 2019/1753 of the European Parliament and of the Council on the action of the Union following its accession to the Geneva Act, thus enabling the EU to deposit is instrument of accession to the Geneva Act before the end of 2019.

Regulation (EU) 2019/1753 lays down rules allowing the Union to exercise the rights and to fulfil the obligations set out in the Geneva Act. In particular, it provides that, as a rule, Member States may request the Commission to register in the International Register under the Geneva Act GIs that originate in their territory if these are protected and registered under EU law. Such requests can be based on a request by GI holders or their own initiative. This gives GI holders a lead role in deciding which GIs should be protected under the Geneva Act. The Commission as Competent Authority under the Geneva Act shall file applications with the WIPO International Bureau. The Regulation also sets out a procedure for GIs of third country origin that will have to be assessed for protection in the EU under the Geneva Act. Moreover, it contains complex transitional provisions for AOs originating in EU Member States and already registered under the Lisbon Agreement, contemplating various scenarios, essentially depending on the eligibility of the respective AO for protection under EU law. There are also rules for transitional protection for AOs originating in a third country and registered under the Lisbon Agreement before the accession of the Union to the Geneva Act.

Outlook

The new Geneva Act is a potentially significant tool in the strategy of any country or region – including the EU – that wants to improve multilateral protection of GIs, for the benefit of its producers and consumers. In view of the current lack of progress at the WTO in respect of the establishment of an efffective and efficient multilateral register for GIs and the extension of high level protection to all products, the Geneva Act is currently the only viable option for protecting GIs in a multilateral forum.

The Geneva Act offers new members a modern multilateral instrument, enabling them to take advantage of the significant benefits stemming from the unique features of the producers' territory and assisting them in transforming these features into marketable products. The establishment of an international registration and protection system for AOs and GIs will have positive effects for – particularly small and medium sized and rural – producers worldwide in obtaining protection for their designations abroad at affordable costs. Moreover, it can be a boost for private and public investment, with positive effects for the economy, sustainable development, increased competitiveness, export diversification and job creation.

Geographical Indications in the turf wars of international trade agreements. A comparative and historical perspective

Armelle Mazé, Philippe Mongondry[1]

Abstract **– Over the last decades, the legal protection of Geographical Indications (GIs) as a distinct formal sui generis Intellectual Property regime (IPR) have been subject to sharp trade disputes and opposition between the USA and the EU at the international level. Our study provides a detailed analysis of the discursive strategies and the policy and theoretical arguments on GIs in the international negotiations on trade agreements and the global economy.**

Keywords **– GIs, international trade agreements, multilateralism, agricultural exceptionalism.**

Introduction

Over the last decades, the legal protection of Geographical Indications as formal Intellectual Property Rights have been subject to a number of sharp economic and political debates and negotiations at the international level, especially between the US and the EU (Chen, 1997; Lorvellec, 1997; Josling, 2006; Barham and Sylvander, 2011; Arfini et al. 2016). These debates first involved leading international organizations, such as the WTO, WIPO, FAO acting as a form of international polycentric governance, as key institutional drivers of the diffusion of geographical indications worldwide, but also more recently through the form both bilateral trade agreements, such as TTIP between the US/EU or the CETA between Canada and the EU, among others.

In this communication, we provide a detailed analysis of the different lines of policy debates and theoretical arguments, as well as to the related discursive strategies, surrounding the specific place of geographical indications (here after GIs) in the negotiation of international trade agreements, with a specific focus on the opposition between the EU and the USA.

We use the IAD framework as a benchmark analytical model for policy analysis (Ostrom 2011, Heikkila and Andersson (2018), with a specific focus on standard setting activities surrounding the legal protection of GIs at the international level. In the recent literature on standard setting activities, a number of studies have made the parallel between the Ostrom's analysis of collective action, and especially its IAD framework, and standard setting activities (Simcoe, 2014, Mazé 2015, 2017). We apply this IAD framework in the context of the policy debates and trade disputes surrounding GIs at the international level

Analytical framework

Standard-setting activities play a key role in the development of economic exchanges and the building of efficient market infrastructure. From a New Institutional Economics (NIE) perspective, standards help economic actors to determine what is exchanged and to reduce the level of measurement and transaction costs (Allen2011; Barzel 1982; North 2005). Acting as cognitive artefacts and mental constructs used as reference points (Ostrom, 2005; North 2005), standard-setting activities provide a relevant institutional research area on integrating dispersed knowledge throughout society with regards to sustainability.

Using the IAD framework for policy analysis and design provides additional insights to analyse the "action arena" supporting standard setting activities, by characterizing key exogenous variables (physical world, community, rules), the specific patterns of interaction attached to the action arena and their outcomes (Figure 1).

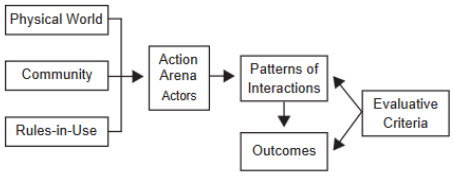


Figure 1. IAD framework (adapted from Ostrom 2011).

While the literature on standards and technological innovations highlighted the role of path dependencies and lock-in induced by initial learning costs, institutional endowment and capability-building are also central to the institutional framing of standard-setting activities (Mazé 2017).

In the case of GIs, the physical world is closely related to biophysical factors combined with the cultural dimension associated with the "terroir" e.g. "a specific geographical area where production takes its *originality directly from the specific nature of its production area. Terroir is based on a system of interactions between physical and biological environments, and a set of human factors within a space that a human community built during its history with a collective productive knowledge. There are elements of originality and typicality of the product*" (OIV). As suggested by Mazé (2015), GIs can thus be analysed as "knowledge commons" supported by collective action (Hess and Ostrom 2007, Hess 2012, Frischman et al 2014)).

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Collective action is a key feature of GIs, acting as a shared common umbrella territorial trademark, patterns of collective action which need to better characterized in relation to the specific rules-in-use, and their regulation designed to solve social dilemma. At the international level, the development of GIs remained highly controversial, and a major source of between the USA and the EU.

Data and methodology

Empirical data are based on an extensive survey of past and current academic literature on Geographical Indications, and a detailed analysis of current negotiations surrounding GI's in the current TTIP (Transatlantic Trade and Investment Partnership) negotiations between the EU and the US, as well as the CETA between the Canada and the EU. These debates first involved leading international organizations, such as the WTO, WIPO, FAO acting as a form of international polycentric governance, as key institutional drivers of the diffusion of geographical indications worldwide, but also more recently through the form both bilateral trade agreements, such as TTIP between the US/EU or the CETA between Canada and the EU.

Results

Over the last three decades, our analysis shows that the policy debates within international trade arena has strongly evolved through three main steps. First a polarisation of the policy debates at the WTO (TRIPPS agreement Art 22 & 23) questioning the scienctific evidence-based foundations of the norms and standards supporting GIs and the so-called "war on terroir" (Chen, 1996, Lorvellec 1996, Josling 2006).
Second, acknowledging the stalled WTO negotiation and the opposition of the USA, a change of EU strategy occurred prioritizing the GIs protection through bilateral trade agreement, and a specific focus on preventing European GIs being considered as "generic names" (Arfini et al. 2016), as well as the adoption of unified registration systems and the rules of enforcement (O'Connor, 2004).
Third, a growing adoption worldwide of GIs protection and regulation, as a response to a number of highly publicized legal cases of undue private registration under the trademark law of geographical names, the protection of traditional knowledge and biodiversity, or as a mean of value creation and territorial development for place-based production (Dagne 2014).
Our analysis also shows that, beside the apparent success story, the role played by the legal protection of GIs in recent bilateral trade agreements also illustrates the declining of exceptionalism of agriculture in international trade policy (Trebilcock and Pue 2015; Thies 2015). Our findings provide evidences about a possible shift in interpretation and open new spaces for the GI's recognition at the international level, but also highlight the current economic and social dilemma surrounding their protection under dedicated IPR regime. It also provides interesting insights for further researches in transaction costs politics and coalition formations to address the complex geopolitics attached to the polycentric governance of global standard setting activities.

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A New World for Geographical Indications
The progressive extension of sui generis GI protection to contending territories

Alexandra Nightingale, Erik Thévenod-Mottet[1]

Abstract **– While exploring the ongoing major shift in countries that have employed a sui generis system for the protection geographical indications (GIs) and those in opposition to the recognition of GIs as a specific category of intellectual property rights, this paper outlines the form and scope of protection offered in newly established regimes for GIs. The GIs now registered remain for the most part those on the lists of products to be protected through Free Trade Agreements. Within these GI registries relatively few foreign GIs (not listed in the Annexes of FTAs) have gone through or are still going through the established registration system to obtain protection. How these new sui generis systems will effectively be used in the future depends for a large part on the progressive development of public policies around GIs in the countries concerned. This can also be influenced by the respective domestic GI potential and developments in the international sphere.**

Keywords – Geographical indications; bilateral agreements; Canada; Japan; Singapore; South Africa.

INTRODUCTION

This research is placed against the backdrop of the differing policy objectives and strategies of the European Union (EU) and the United States (US) regarding GIs. Both have pushed for their interests in a contended race of free trade agreements (FTAs) over the last decade since negotiations within the World Trade Organization came to an impasse in 2008.

The model of FTAs concluded by the EU since then, as well as the progressive developments of legal approaches towards GIs, led to the establishment of *sui generis* GI systems, even in countries who had previously been opposed for years to such a concept. In this paper, we examine the ways and means of this major shift.

METHOD

Four countries: Canada (negotiations with the EU began in 2009, the final agreement was signed in 2016), Japan (negotiations began in 2013, agreement signed in 2017), Singapore (began 2010, agreement in 2017) and South Africa (began 2013, agreement in 2016), who concluded FTAs with the EU and their respective sui generis systems were selected and have been examined.

The research carried out is based on public documents such as available literature on the subject matter and legal texts. Further, in addition to discussions and exchanges with officials from the respective intellectual property offices, targeted questions were circulated to enable comparisons to be made. This included for example questions on the information provided by the government on GIs during public consultations and any responses submitted by relevant interest groups.

Likewise, the effective use and implications of the established GI registries were examined both for foreign and domestic GIs. This served to assess the registries' integration in national legal and institutional systems, as well as their sustainability and future prospects.

RESULTS

While the Agreement on Trade-Related Aspects of Intellectual Property (TRIPS) did include geographical indications as an intellectual property right, the scope of protection of such a right was not specified, except to some extent in relation to wines and spirits. As such, it was left to the members of the World Trade Organization to determine the legal means implemented to provide protection. (O'Connor et al., 2017). In turn, the EU had previously sought to ensure an adequate level of protection for GIs through lists that were annexed to their FTAs. However, a change in policy and approach has become apparent in the extent to which the EU supports awareness-raising and capacity-building around GIs. Activities thereunder are being carried out among stakeholders in the private sector, as well as the general public at large.

It can also be found that certain associations of GI producers or those with GIs that hold strong potential have had a role to play to the evolution of the sui generis systems and the drafting of related laws and regulations. Likewise, it can be considered in how far the public is aware and consumer's demand has grown for the provision and supply of recognized GI products.

The domestic interest for recognizing and protecting GIs varies from one country to another, depending on the potential of local specialty products (both foodstuffs and handicrafts) and, to a lesser extent, to the development of a mature market for a detailed

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segmentation of quality products. If there were to be a scale in terms of domestic interest and drivers, the countries were studied could be ranked from Singapore: with almost no domestic products eligible for GI recognition, to Japan: with huge potential of traditional edible products locally rooted. For present purposes, handicrafts are not included as they are not covered by the current sui generis system, although the potential is very high as well. (Kimura et al., 2021) The potential and interest around GIs can be assessed through public consultations and debates, where they took place. For example, Singapore and South Africa held such consultations with responses from various stakeholders inter alia the national law society and associations of GI producers.

With regards to legal protection, prior to concluding its FTA with the EU, Canada provided GI protection under its trademark act. The same for applies in part to South Africa where several different pieces of legislation provide protection, notably the Trade Mark Act 1993, No. 194 whereby protection is provided in the form of certification and collective marks. In Japan this is achieved through a system of "regional brands", established through the revision of the Trade Mark Act, which led to the regional Collective Trade Mark System in 2006. In Singapore, GI obligations under TRIPs were met in the establishment of their GI Act whereas previously only certification and collective marks could be registered. Subsequently the Act was amended following the conclusion of the FTA with the EU in 2019 (Mirandah, G (2021).

In parallel, in all four countries preexisting acts or legal provisions existed that provided protection to wines and spirits GIs, as required by TRIPS. At the same time, this can also be linked to the stringent regulations around alcohol and related taxes. The separate legal provisions and their systems in turn are to seek coexistence with the establishment and implementation of the sui generis systems that provide GI protection for agricultural and possibly for non-agricultural products.

It follows that now these countries, like the EU itself, face or may soon face the challenge to find ways to merge and/ or harmonize these different legal systems. Extending registration and protection to non-agricultural GIs is likely to emerge soon as an additional question. In contrast, in other countries, a system has been established to cover all kinds of GIs from the beginning.

Depending on the FTA concluded, GI protection can be obtained automatically through the inclusion of the GI on the respective list in the Annex of an FTA. Alternatively, the GI will still be required to undergo the application and registration process of the respective national sui generis system to be taken up into the GI registry. The latter is the case for Singapore, where 143 EU GIs out of the 196 GIs included on the List annexed to the EU-Singapore Free Trade Agreement underwent the registration procedure and are subsequently in the GI registry. On the contrary, in South Africa, presently no foreign GIs could be registered in the newly established register, due to a lack in meeting the present legal requirements.

In the FTA between the EU and Singapore, there is a provision (Art 10.17, 2.) that provides that the system of protection of GIs shall include a domestic register. No such provision is apparent in Protocol 3 of the Economic Partnership Agreement between the EU and SA. Instead, a Special Committee on GIs was established with the purpose of monitoring the development of the EPA. The same applies to Japan and Canada, where both had to establish domestic legislation in order to satisfy their obligations according to the FTA.

The South African and Japanese registers could attribute their establishment more towards the internal drivers and activities that continue around capacity-building. While nonetheless, negotiating a FTA with the EU played a role in tipping political momentum towards overcoming contrary views within individual public institutions.

Analysis and conclusions

Upon the conclusion of FTAs with the EU, the sui generis GI systems remain predominantly modest, with few GI registrations (except for Japan). Or even nascent in some cases, in terms of the need for further harmonization of national laws and further GI registrations. This then, beyond the larger, more established GI associations and their producers who have attained national as well as international recognition in relation to their reputation and consumer demand.

The future of these modest and nascent sui generis GI systems may well be determined by the move by these countries to specifically address outstanding legal issues related to GIs, and/or steer legislation towards harmonization towards potential/ eventual accession to the to Geneva Act. In which case the process of entering foreign GIs into national registries through the respective individual procedures may no longer be decisive.

Nevertheless, even with the remaining challenges and obstacles that lie ahead, the GI sui generis systems in the four countries are taking root.

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EU-Mercosur Agreement: The challenges of the geographical indication market

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Abstract **– The agreement between the European Union and Mercosur aims to improve trade between the blocs and impacts in different areas, including the market for products with a Geographical Indication. The negotiations resulted in a broad spectrum protection document. The agreement advances by establishing recognition parameters and recognizing a relatively large number of products from both. However, by not establishing differentiated measures to affect the market, it is subject to accentuating the imbalance in the market for these products.**

Keywords **– Geographical Indication; Institutions; European Union; Mercosur; Inequalities.**

Introduction

The market construction of Geographical Indication (GI) products has developed asymmetrically across the globe. Mercosur and the European Union (EU) represent clear examples of such differences. The number of registered products between both is expressive (Fracarolli, 2021c). Nevertheless, there is still much to investigate how these differences progressively changed and shaped this market.

In 2019, the EU and Mercosur announced a broad and ambitious agreement. However, despite the signature, the agreement is not under operation yet. As so, GIs are also part of its themes. However, how will it impact this market between both economic blocs? The present work aims to analyze the agreement regarding GIs to answer that question. To do so, this work will use economic sociology as a theoretical foundation from an institutional perspective of the agreement's construction and its impacts on both blocs. Understanding markets as a result of social constructions is crucial to understanding the dynamics of how it develops (Fligstein & Dauter, 2007). Observing it not as a sequence of strictly rational decisions but due to its development context allows for a more in-depth and concrete analysis of reality.

The present agreement between the economic blocs may benefit the countries involved, producers, consumers, industry and commerce. However, institutions must coordinate strategies toward mutual public policies development to promote this type of product and market. In that case, the agreement may result in instabilities and increased inequality. Moreover, since the relationship between GI legal structures and public goods depends on the context in which they are inserted (Belletti et al., 2017), their construction plays a crucial role in market development.

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Methods

This work aims to qualitatively analyze the terms of the free trade agreement concluded between the EU and Mercosur (European Commission, 2021) regarding GI issues and developmental impact in both regions in the light of the institutions. To this end, priority will be given to the previous documents of the free trade agreement between the EU and Mercosur resulting from the discussions in light of sustainable development. Therefore, it will analyze the documents in general terms regarding the intentions and the specific chapters. Furthermore, to help, it will compare the GI records between the blocks and compare them with the existing literature.

Finally, after analyzing the introductory text of the agreement, it will discuss the implications of the agreement according to the cited literature on GIs, development and economic sociology, focusing on the embeddedness between institutions and the market.

The agreement's results

Overview

The first aspect to be addressed refers to the fundamental principles of the agreement. Thus, we must observe the purposes for which the document was established. In the document resulting from the meetings, 17 initial items are set, which the agreement will deal with. In general terms, the agreement points out (European Commission, 2021) in item 1, "Trade in goods," a broad liberalization of trade barriers between the two blocs. After the transition period, the document states that the EU and Mercosur will liberalize 92% and 91% of their imports. This item also highlights access to industrial and agricultural goods markets (European Commission, 2021).

Considering the trade balance between both blocs, it is noteworthy that in 2021, 77.1% of EU imports were of primary products. On the other hand, 82.8% of the value exported to Mercosur was manufactured (European Commission, 2022). However, the agreement highlights beef, sugar and soy.

The text highlights that the negotiations resulted in substantive results regarding the GIs. The agreement includes the protection of 355 European GIs and 220 Mercosur GIs. These numbers represent a

small fraction of registered European GIs and almost all of the existing GIs in Mercosur (European Commission, 2021).

However, despite the agreement recognizing a relatively significant number of European GIs and almost all of Mercosur, these numbers are not reflected on supermarket shelves and are partially dominated by brands (Fracarolli, 2021a, 2021b).

Specifics

In the chapter and specific article on the subject, the agreement aims to protect GIs already established broadly in the protective sense in an egalitarian way. The agreement also aims at cooperation actions between the parties in order to curb the use of allusive terms such as "type," "style," or similar and includes three annexes referring to the legislation of each of the members, a listing of the GIs mentioned above and non-agricultural GIs from Brazil and Paraguay (European Commission, 2021).

The text also reinforces the commitment to prevent the GIs already recognized from falling into generic use (European Commission, 2021). Furthermore, there is a commitment on the parties to guarantee the effective application of the registrations and prevent the use by brands, considering the necessary exceptions.

Trade and sustainable development

Concerning sustainable development, also addressed in the agreement, the chapter above clarifies that it aims to enhance the integration of sustainable development between the parties. For a better definition, it lists several international agreements such as Agenda 21 and the United Nations document "Transforming our World: the 2030 Agenda for Sustainable Development" (European Commission, 2021). In this way, it reinforces the concept of sustainable development by integrating the social and environmental dimensions and the economic ones.

The document makes clear the intention to achieve the Sustainable Development Goals and collaborate on this through measures and policies considering the different realities and levels of development among the members (European Commission, 2021). To this end, it makes explicit intentions of working together to address climate change, biodiversity and forest management, among others. Thus, it shows that these rules and intentions guide all trade between the parties.

Discussion and conclusion

For this agreement to be analyzed and properly discussed, it is crucial that the factors addressed are done together and not as the sum of the parts. The agreement in question is an essential framework for cooperation between the parties and brings relevant advances to trade development between the members. However, it also has imperfections that can be improved.

By establishing standardized and uniform rules and intentions between the parties, the agreement not only contradicts itself when it claims to consider the differences between the members but also fosters inequality. In its present form, the agreement does not consider the differences between institutions (Fracarolli, 2021c), promotes production models incompatible with sustainable development, does not effectively propose ways to mitigate trade differences in GIs, and maintains non-tariff protectionism (Josling, 2006), but embedded in institutions. Thus, without effective public policies, the agreement in this form tends to accentuate the inequalities between the blocks, mainly about the GIs.

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'ROOIBOS' / 'RED BUSH': THE FIRST AFRICAN GI INCLUDED IN THE EU REGISTER

Dirk Troskie, Estelle Biénabe, Marthane Swart[1]

Abstract –'Rooibos' / 'Red Bush' became the first African Geographical Indication (GI) to be included in the European Union (EU) GI Register on 31 May 2021. The origins of this registration started about 30 years ago with the usurpation of 'Rooibos' as a trademark in the United States. This act provided the impetus for the establishment of the South African Rooibos Council (SARC) and the eventual inclusion of rooibos in a GI valorisation project in Southern Africa. The results from the valorisation project led to 'Rooibos' / 'Red Bush' being included in the GI Protocol of the Economic Participation Agreement (EPA) between Southern Africa and the EU. For various reasons SARC subsequently took the decision to directly apply to the EU for GI recognition which led to success after a process of almost three years. Inclusion of 'Rooibos' / 'Red Bush' led to observed benefits for the Industry.
***Key words* – Geographical Indications (GI), Rooibos, EU Register, Africa.**

INTRODUCTION

On 31 May 2021 'Rooibos' / 'Red Bush' received the honour to be the first product from Africa awarded the coveted status of 'PDO' in the European Union's (EU) Register of Geographical Indications (GI). This was the culmination of a long and complicated process driven by multiple role players.

The purpose of this paper is to describe the background to this registration, processes preparing rooibos for registration as a GI as well as the eventual registration process. In the final part of this paper some outcomes will be discussed.

BACKGROUND

'Rooibos' is an herbal tea from the plant *Aspalathus linearis* which only grows in the South-Western Part of South Africa. The GI journey of Rooibos started in 1992 when a South African company registered 'Rooibos' as a trademark in the United States of America (USA). In 2001 a USA company obtained this trademark and immediately demanded royalties on all rooibos products exported to the USA. Although the matter was subsequently settled out of court, it underlined the danger of usurpation as well as the value of obtaining GI protection. This forced the industry to establish the SA Rooibos Council (SARC). In 2012 a French company also attempted to *inter alia* register 'Rooibos Tea' as a trademark, but was successfully opposed by the Industry.

PROCESS OF REGISTRATION

Over the period 2005 to 2008 a multi-national project, funded by DURAS (a joint GFAR-Agropolis International initiative), analysed six potential GI in South Africa and Namibia. As part of this project, with the support of SARC, Rooibos as a case study was analysed, its unique characteristics documented and a draft product description developed. As this was an interactive and participatory project, the general buy-in of producers and processors were obtained from the start and the GI characteristics approved at an Annual General Meeting of SARC. The process and learnings from this process was described in Troskie and Biénabe, 2013.

Although the case for the registration of a Rooibos GI was very clear, no appropriate valorisation system existed in South Africa. Hence, domestic protection was only obtained in September 2013 and, along with Heuningbos, Karoo Meat of Origin and 102 wines, 'Rooibos' / 'Red Bush' was included in the GI Protocol of the Economic Participation Agreement (EPA) between the EU and Southern African states in July 2014. It is important to note that this GI Protocol must be considered as the deal-maker which resulted in the EPA (but this is a discussion for another day).

The Rooibos Industry took the next step and, for the following reasons, in August 2018 applied directly for further protection from the EU:

a) PDO status and acronym in all EU languages.
b) High consumer-recognition of PDO logo.
c) Proof of protection.
d) Improved publicity and enforcement access of the Register.
e) Direct rather than negotiated right for producers.
f) Ease of application for further GI protection.

The Western Cape Department of Agriculture (WCDoA) assisted the SARC in developing the single document for Rooibos and the application was submitted on 21 August 2018. Following comments received from the EU Commission, amended versions of the single document were submitted on 29 April 2019, 27 December 2019 and 20 February 2020. On 6 August 2020 the single document was published in the Official Journal of the EU for comments and two objections were received. These objections focussed on:

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a) Contradictory paragraphs pertaining to sensory parameters.
b) The enforcement of the content of aspalathin and nothofagin in the final product.
c) Adherence to EU labelling requirements

On 8 October 2020 a meeting was held with the parties who submitted the objections and agreement was reached on amendments. The resolution were submitted to the EU on 9 November 2020. The final registration was published in the EU Journal on 28 May 2021 and 'Rooibos' / 'Red Bush' was finally included in the EU Register on 31 May 2021.

Based on this experience there are three important observations to be shared with the producers of other products contemplating a submission for inclusion in a multinational register. These can be summarised as follows:

a) Although the Rooibos Industry could directly approach the EU Commission, it was considered important to recognise national authorities and work through them. In this way diplomatic channels were opened which eventually proved to be very valuable.
b) Although this was a very long and complicated process, the comments and support received from the EU Commission was very valuable.
c) The objections should be approached in a positive way. In the case of the 'Rooibos' / 'Red Bush' application the institutions submitting objections could approach the application from a fresh perspective as well as from years of practical experience. Hence, their contribution prevented challenges which would only materialise at a later stage.

Outcome

It is important to note that, immediately following inclusion in the EU GI Register, international interest in Rooibos increased substantially. This was evident by the number of requests for samples from abroad.

This observation is corroborated by a casual analysis of rooibos export data. Over the 25 months from 1 May 2019 to 31 May 2021 (when 'Rooibos' / 'Red Bush' were included in the EU GI Register) the global volume of Rooibos exports from South Africa was 16 386 741kg (an average of 655 470kg per month). Over the 10 months from 1 June 2021 to 31 March 2022 total exports amounted to 7 318 092kg (an average of 731 809kg per month) (PPECB, 2022). This means that an additional 76 340kg per month of rooibos were exported on average after the inclusion of 'Rooibos' / 'Red Bush' in the EU GI Register; an increase of 11,6%.

However, it is important to note that this is for global exports (assuming that EU Registration will have an impact on the demand in non-EU countries) and other variables were not taken into account. It follows that a more detailed analysis is required for a conclusive answer to be provided.

Lessons learned through this whole project, from the DURAS intervention to 10 months after inclusion in the EU GI Register, can be summarised as follows:

a) Importance of having an appropriate domestic valorisation system.
b) Importance of a credible and inclusive custodian of the GI.
c) Challenges of translating foreign legal prescripts into local product realities.
d) Need for a technical institutional support framework.
e) Opportunity created for other GI created by an Industry paving the way.
f) Realisation that the development of a GI is a long and complex process.
g) Immediate increase in domestic and international interest in Rooibos.

Finally, the authors of this paper want to congratulate the producers of 'Poivre de Penja' from Cameroon which, on 17 March 2022, became the second African product to be included in the EU GI Register.

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C.1 Nature des IG (1) : concepts clés

Border Wines: Terroir across Contested Territory in Central Europe and the Middle East

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Abstract – Etymologically related, the concepts of *terroir* and *territoriality* display divergent cultural histories. While one designates the palatable characteristics of place as a branded story of geographic distinction (*goût de terroir*), the other imbues the soil with political meaning, defendable boundaries, and collective entitlement. This presentation traces the production of GIs in contested spaces across political borders. Tracing the ascent of terroir as an organizing principle for the global wine culture and food industry, I examine the intersection of political geography, national identity, and cultural locality in the production of edible authenticity. Border wine regions such as Tokaj between Hungary and Slovakia, the Judean Hills and South Mount Hebron in Israel and Palestine, and the former Cold War buffer zone between Bulgaria and Greece illustrate the articulation of terroir as a story of border-crossing. Beyond the essentialization of terroir as "nature" and the contested politics of territory, I identify three formations of the terroir-territory connection: (a) *territorialization of terroir*, (b) *terroir-ization of territory*, and (c) *terroir expansion.* In the case of "border wines" strategies of boundary- and terroir-making highlight the creative agency of GI producters across political territories.

Keywords – **wine ; terroir ; territory ; border wine ; Israel/Palestine ; Central Europe.**

Introduction

Drawing on the growing critical studies of wine and terroir (Demossier 2011; Black and Ulin 2013; Trubek 2008) I bring into conversation two distinct conceptual fields: the cultural notion of "taste of place" (*goût de terroir*) predicated on the phenomenology of terroir as "somewhereness" (Kramer 2007; Grahm 2006), and the politics of territory as a strategy of bordering and ordering (Green 2012; Popescu 2011). This article responds to Black and Ulin's (2013: 7) call to view wine as a point of departure to contested traditions "too often ignored or eclipsed by narratives devoted to the commodity itself."

In border wine regions where terroir often traverses national territories, cultivating nature becomes a political statement. How is terroir defined and defended in politically contested wine regions where it literally deborders the state? The indexical power of border wines pits the "territory effect" (Painter 2010) against what I call the "terroir effect." Reading the claims of terroir against the claims of territory sheds light on the political agency of wine.

Territorializing Terroir

In the wine world, no concept is more controversial than the key symbol of terroir, whose proponents arguably "take it to the level of Jihad" and are conversely accused of "viticultural racism." Traced back to the thirteenth century, the French notion underpinned the continental patrimonialization of taste with the 1935 institutionalization of the *appellation contrôlée* system. Toward the end of the twentieth century, it became a buzzword glossing place-based product authenticity (Gade 2004: 866). From the Balkans to China, wines are sold as terroir wines. Indeed, our time is marked by and marketed as "terroir fervor," which embodies the paradox of globalization. "Local is in," announces Master of Wine Debra Meiburg (2012), and explains *terroir fervor* as "New and Old World winemakers touting the specialness of their plot of land, be it a sprawling valley or a postage stamp. A winemaker's passion, they insist, is so intimately related to the land that the winemaker is an integral part of terroir."

The most poetic notion of terroir was made famous in the film *Mondovino* (2004) by the owner of the traditionalist Domaine de Montille in Burgundy. Distinguishing between "vins de terroir" and "vins de marque" (brand wines) he exclaimed: "The vine is here! It's the terroir... Brands are a part of Anglo-Saxon culture ... Here we cultivate an appellation of origin. Brands get forgotten, like people." In the French tradition, terroir cannot be reduced to the signature taste stemming from the soil. It is also the human know-how that preserves these material characteristics. In this sense, terroir is *embodied* and encompasses bodily dispositions. "Le vin a du corps"—it is made, preserved, and exalted by a winemaker who performs the magic of the terroir. In *Mondovino*, Hubert de Montille concludes that wine is "90% perspiration [sweat], 10% inspiration."

The semiotic power of terroir lays in its untranslatable indexicality linking speaker to space. Terroir fervor is thus a way to touch posterity through nature. Despite its global currency, however, the notion of terroir as "mythical" (Poulain 1997; Matthews 2016), "polysemic" (Bérard and Marchenay 2007), or even as "useless nostalgia" (Latour 2016) and a "joke" (Ashenfelter et al. 2013; Gergaud and Ginsburgh 2010) is not uncommon among critical wine scholars. In a recent article for *GuildSomm*, Jane Lopes writes (2017), "*Terroir* is a word that's gotten overblown and deflated, now an impotent, saggy balloon in the wine industry. It's been so overused that it barely means anything anymore."
Historically, the cultural concept of terroir is based on a "secular conviction of a tight objective relationship to the farmed environment" (Vaudour 2002: 119); however, in specific contexts it is often infused with religiosity and hallowed nationalism. In my paper I interpret it as a story of place and its defining boundaries and borders—a cultural narrative that positions a commodity in regional political economy.

While much has been written on the regional and global politics of wine (Colman 2010), terroir across political borders remains uncharted territory. To understand how terroir has become part of projects of territorialization, especially in places where border disputes are heightened, we need to reframe borders as relational rather than as "lines" and "edges" of sovereign spaces (Green 2010: 586). They create territory "not as an actual state space, but as the powerful, metaphysical effect of practices that make such spaces appear to exist" (Painter 2010: 1116). Controlling mobility, these spaces constitute, by extension, national entities and identities (Mitchell 1991: 94). A relational view of the territorial border as place (rather than a line) resonates strongly with Georg Simmel's (1997: 142) memorable observation that "the boundary is not a spatial fact with sociological consequences, but a sociological fact that forms itself spatially."

Anthropologists of borders have emphasized the

motility of people, signs, and commodities traveling within and across the "national order of things" (Malkki 1992). For Green (2010: 264), the historicity of the border "generates connections and relations as well as disconnections and separations, across space and time." However, these connectivities are not unilateral but rather dialectical and performative: "If performing the border means classifying and defining people, things and places in a particular form, then that is done not only by the separation and disconnection that renders borders visible, but also by connection that can remake them differently and even erase them from view" (ibid.). As we shall see, this indexical, place-based notion of the border allows winemakers and analysts alike to challenge its fixity. Borrowing from Massey (2005: 12) Green (2012: 587) suggests that "borders mark the locations of stories so far." One such story is the story of terroir. While performing the border produces the "territory effect," thinking of terroir as performance allows us to speak of the "terroir effect" as a social process of production and signification of places and things vinous.

To explore the dangerous liaisons between terroir and territory, I examine the quality-space of terroir across three political borders: national borders, Cold War borders, and colonial borders. "Border wines" demonstrate how terroir can turn into territory and vice versa by highlighting processes of deterritorialization and reterritorialization. Beyond the standard model of terroir developed in France I point to three strategies of *terroir-making* in less centralized wine cultural and legal systems. First is the case of Tokaj, which exemplifies a strategy of patrimonialization and nationalization of wine. Tokaj is an ethnic wine, where contested political territory inscribes terroir, or the *territorialization of terroir*. Second is the case of one of Bulgaria's southeastern border wines, also known as "No Man's Land." It is a case of the commodification of the border zone, or the *terroir-ization of territory*. Third is the case of Israeli settlement wineries that employ wine to imagine a Mediterranean landscape within a colonial framework—a strategy I term *terroir expansion*.

This research project draws on participant observation, interviews, and media analysis in wineries across Palestine/Israel and Central Europe. Fieldwork was complemented by long-term professional training in Italy (Sommelier 3rd level, 2010) and in Austria (Wine & Spirit Education Trust, level 4, 2014–). The project proposes a historical anthropology of wine cultures by articulating the ethnography of wine production and consumption practices with the history of their expansion. Mapping the regional production of wine, knowledge, and power on both sides of the border, I explore the nexus of science (enology), culture (taste), market (branding), and politics (territoriality) by rescaling the macro-determinations of enolocality to the microregion. I conceptualize the terroir-territory configuration relationally as the interaction between individual cross-boundary practices and official region-making processes. The contested demarcations of wine regions and the agency of winemakers position wine as an ambivalent commoditized actor, which regulates social relations at the same time as it legitimizes symbolic claims over land and history.



Figure 2: Map of Tokaj across the border (Illustration by Igor Vizner, distributed under a CC-BY 2.0 license)

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The limits of inclusion in Geographical Indications: Should we exclude any exclusion?

Casabianca François, Marie-Vivien Delphine[1]

***Abstract* – While inclusiveness becomes a priority in every public policy, exclusion is clearly present in GI systems through various kinds. Is removing all these exclusions making sense, in the name of seeking fully inclusive GI system? Some exclusions appear necessary for the functioning of any place-based sign, as delimitation process and choice of rules of production, providing the basis for product uniqueness. However, unnecessary exclusion reduces the representativeness of producers, unbalancing the value sharing along the chain, or depriving the local consumers of the typical product. Such exclusion jeopardizes the GI system by reducing the internal cohesion of stakeholders and the local anchorage. Our exploration shows that GI governance must be exclusive for a strong recognition and inclusive in order to ensure internal democracy and strong link to the local society. Therefore, it has no sense to seek an ideal GI fully inclusive.**

***Keywords* – Inclusiveness, differentiation, governance.**

Introduction: Rationale

Inclusion is a great worth of our time, addressing inequalities within our societies. It legitimately becomes a permanent injunction for public policies: make efforts to be more inclusive.

However, we observe that, beyond the exclusive use of the protected name, exclusion plays a core role in designing and implementing geographical indications (GI). Methods of production, delimitation are elements that obviously tend to reduce the inclusiveness of the GI selecting producers, places, products to be recognized while others remain outside (Treager et al, 2007). Even GI sustainability seems out of reach if we consider the level of inclusiveness required in the design of GI worldwide.

Our communication aims at explore what role does exclusion play in the conception and the functioning of GI. *Should we track down any form of exclusion and seek to eliminate it in order to move towards an "ideal" GI, ie fully inclusive?*

We provide some answers to this question by mobilizing our large experiences on GIs in various regions (mainly Europe and Asia), in the legal framework and the GI specification contents as well.

Main Findings

Analyzing GIs, we observe a series of exclusions that seem very frequent, some of them being mandatory.

In the productive sphere, the specifications frame the various conditions producers must respect, in terms of location of the production unit as well as the elaboration techniques. At first, the area delimitation introduces a new boundary among neighbouring producers that frequently were using quite the same production frame (and the same name). Often, a famous product is extending from a core area (the cradle of the local product) to the surroundings, and the legitimacy to use the associated name is decreasing when moving away from the core. Second, the specification content leads choosing rules for product elaboration in line with its specificity with some remarkable local practices and usually local resources. However, the actual access of the resources may be unequal and the practices chosen among those present locally may have an unbalanced distribution over the area. Thus, each rule is including but also excluding producers according to these choices.

In the consumption sphere, a GI product is supposed to be accessible for everybody. In reality, we can observe two main kinds of exclusion. First, the price level of GI product is generally higher than the similar products. This effect of GI recognition is expected as it remunerates the efforts of the producers and generates value to be shared within the chain. However, it is selecting the buyers by reducing the affordability on the market. Second, the targeted markets of GI product are generally outside the production area in order to meet customers willing to pay more. This way of marketing GI product aims at adding value, but at the same time, may reduce the accessibility for the usual local users of these products and affect their cultural affiliation.

In GI governance, modalities can constitute internal barriers reducing the room for some types of producers or leading to unbalanced distribution of the value along the chain. In particular, upstream producers, small producers or poorly organized or dispersed in remote parts of the area may have less capacity to participate to the collective management of the GI, including controls and certification procedures. At the contrary, downstream producers more powerful, with higher social capital, or higher market power, may concentrate the capacity to make strategic choices, gain volumes, get access to distant markets.

Discussion

We can see that exclusion is present in GI systems through various kinds. Is removing all these exclusions making sense, in the name of seeking inclusive

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GI system? It seems crucial to distinguish necessary and unnecessary exclusions to analyze the situations.

Necessary exclusions

Some exclusions appear necessary for the functioning of any place-based sign.

Delimiting an area is a necessity and including the neighbors without limits would ultimately lead to making the name generic. GI systems need a transparent procedure of delimitation for putting boundaries at the right place, gathering external expert knowledge and providing a sufficient opposition period. Similarly, setting production rules helps to give GI product its unique characteristics. If the rules were too weak in order to be more inclusive, they could no longer provide the guarantees essential to the product recognition (Allaire et al., 2011). The more the specification may include, the less the recognition is efficient on the market. The specification building requires a clear and transparent process for choosing the relevant rules and making sure that the exclusion of some producers not complying some of these rules is fully legitimate. In addition, in order to ensure purchase by as many people as possible, one can seek to maintain low prices and high affordability. This implies reducing requirements for reducing costs or making economies of scale by concentrating production in very large units. GIs doing so adopt the least demanding rules and their justification is the weakest. Thus, to a certain extent, useful exclusion takes part of the GI system (Link et al, 2006). *Therefore, try to eliminate it should lead to unsustainable GIs.*

Unnecessary exclusions

At the opposite, harmful exclusions reduce cohesion and solidarity of local actors. For example, even if delimitation is a necessary exclusion, delimiting a too small area may endanger the GI system as a small club without a solid basis. By building the specification, choosing scarce resources and very demanding practices in non-mechanizable work may affect the viability of present production units and the generation renewing. Exporting quite all GI product outside the area for having high prices may deprive a large proportion of local connoisseurs and induce a fragility in the anchorage of the product. Thus, pushing the necessary exclusions to excessive levels jeopardizes the GI system in the long term.

Concerning the GI governance, every kind of exclusion seems to be removed as it may affect the internal democracy and the system functioning. Inclusiveness here is the most important factor as depending on who from the value chain is represented in the governance (Marie-Vivien et al, 2019), the content of the specification and therefore the technical exclusion in the "productive sphere" will be directly impacted. *Inclusiveness seems an important criterion for a GI system on long run, giving guaranties to all the producers of the area to be involved in the decision-making and, through social and spatial justice, to ensure good level of internal democracy.*

Increase the level of inclusiveness?

Therefore, the ambition linked to GIs should lead to adequate measures for ensuring good internal inclusion in the area, as well as good level of product recognition (Quiñones-Ruiz et al. 2016). Decision-making on potential revision of the specification should involve all the producers concerned, and not only those already in the GI system and anticipate the effects of modifications. For example, GI governance may support producers ready to implement gradually stronger rules for increasing the GI sustainability, in order to balance the efforts and prevent any defection. Value sharing along the chain is another critical point for increasing justice among the local actors. GI collective organization should define minimum price for raw material producers to be paid by processors in case of a processed product. Similarly, GI governance can also target local consumers, children in canteens, fairs and markets for enhancing product specificity and generations transmission within the area.

Conclusions

Despite a bad image and a negative a priori, exclusion in GIs appears as a dialogic object. On one hand, useful exclusion is an absolute necessity: it is ontologically linked to any origin sign. Therefore, try to eliminate it would be a way to put new obstacles for GI sustainability. Therefore, an ideal GI must imply some exclusions. On the other hand, harmful exclusion should be approached as an adverse regulatory requirement potentially responsible of GI unsustainability. Any exclusion in the GI governance or reduction of the link to the local society must be tracked out and eliminated. Our exploration shows that, at the same time, exclusion takes part to the GI conception, and inclusiveness is at the heart of governance ethical issues.

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Geographical indications: protection of a name or a logo? A risky shift

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Abstract **– A Geographical Indication (GI) is an official sign protecting a name referring to a place, granting an exlusive right of use in the market. Through the evolution of the countries implementing this intellectual property right, we observe that logos are increasingly added to the official recognition of the protected names. The question is then "are GI procedures protecting a name or a logo"? We analyze the diversity of situations worldwide (Europe, Asia, Africa and South-America). Logos are supposed playing two roles: informing customers and helping public authorities to regulate the markets and implement controls. However the accumulation of information on the label seems to dilute the protection of the name, putting at risk its reservation, with some countries only enforcing the exclusive right on the logo, leaving the name free of use, questioning the mere nature of GI.**

Keywords **– Legal nature of GI, logo, enforcement, Asia, Africa, Europe**

INTRODUCTION

Geographical indications (GI) and appellation of origin confer an exclusive right of use of a name (a geographical name or a name referring to a place) for the benefit of products complying with the GI specifications. This exclusive right is justified by the reputation of the GI, a creation of a localized collective, which makes it an intellectual right, usually codified in the intellectual property law.

However, while GIs have been first institutionalised in Southern Europe at the end of the 19th century, the actual development of GIs in many countries occurs in a world of multi-certifications identified by particular labels and logos, especially in the agri-food sector. See for example, the organic agriculture logos in various jurisdictions. Competition among certifications influences GI with since a decade an increasing use of GI logos next to the GI name. It can be a logo specific to the GI product in question, or an official national logo applying to all GIs in the country.

While these logos are useful for information and marketing, their use is questioning the mere nature of GIs, which are names giving all the necessary information about the products under GI scheme: its origin (Marie-Vivien, 2022).

Yet it seems the sole use of the name is not enough to attract consumers and logos are necessary to bring guarantees of authenticity. However, is such use of logos at risk, the risk of losing the protection of the name?

METHODOLOGY

This paper is the result of analysis of legal documents worldwide regarding the protection of GIs and in particular regarding the conditions of use of the national logos and of surveys in practice regarding enforcement of GIs in markets and use of logos for traceability purpose.

THE INCREASE OF LOGOS WORLDWIDE

In Europe, for agrofood products, the use of the official red (PDO) and blue (PGI) logos or Union symbols on the labelling next to the indication is mandatory since 2012. Before such use of the logo was optional, with the possibility to only use the indications 'protected designation of origin' and 'protected geographical indication' in the labelling (see art.8.1 EU Reg. 510/2006).

Countries in Asia, Africa and to a lesser extent South America have put in place such strategy.

In India, the use of the logo is optional for Indian products and not allowed for foreign products. All requests for use of Logo shall be approved by the GI registry, which means an additional procedure; even if it is clear that all GI Authorized Users registered shall be allowed to use the GI Logo (Guidelines for permitting the use of Geographical Indication Logo and Tagline, 24 June 2019).

In Thailand, the use of the logo is permitted by the Department of intellectual property, for a period of 2 years, only for GIs which have been subject to controls. The logo is then used as a label which guarantees that there has been a control of the compliance of the product with the GI specification, a use which goes beyond promotion and marketing (Department of Intellectual Property Regulation on Permission to Use the Thai Geographical Indication Logo, B.E. 2551 (2008)).

In West Africa OAPI countries, the use of the OAPI logo is mandatory, together with the name of the GI. However, the logo can only be used for products packaged in the geographical area, where packaging is controlled by the collective management organisation. Yet the regulation provides that the GI name cannot be used alone without the OAPI logo (Reglement relatif à la production, à l'utilisation et à la gestion du logo IGP de l'OAPI). What happens then for GI product whose specification authorizes final packaging outside the geographical area? No right to use the logo and then no right to use the GI denomination either! .

Interestingly, in Latin America countries where GI systems have been set up before Asia and Africa, very few countries have GI logo and when existing, their use is generally facultative, as an additional instrument for promotion purposes.

In Chili, there is a logo, called the seal, for each industrial property tools recognizing and protecting Chilean origin products: one logo for GI, one for Denomination of Origin, one for Collective Marks and one for Certification Marks (https://www.inapi.cl/sello-de-origen/para-informarse).

In Colombia, those who have been authorised to use the PDO may only use the PDO seal. It may be used on the product, on labelling, packaging, advertising, establishments, installations, documentation and/or other elements to be used for the marketing and promotion (manual de uso sello denominación de origen protegida de Colombia, RESOLUCIÓN 36074).

At the contrary, Argentina is showing a contrasted situation with a protection only for the use of the official logo while the name remains free of use for all producers in the geographical area. Indeed, only the use of the GI/DO for products not originating from the geographical origin is prohibited (art.27 of

the law 25 966. Such strange situation is offering a large room for many confusions. Therefore, the efforts for making the name well known and increase its reputation are benefiting for all the products, GI or not, using the same name, with GI becoming a mere indication of source. The respect of specification and control creates new costs and GI inducing clear disadvantage for GI producers. So, parasitism (use of a protected name without any official control) is officially encouraged by this type of public decision and jeopardizes the GI system in this country.

For objectives ranging from promotion and awareness to control and enforcement

A set of three situations is observable: i) name protected without official logo (not existing or being optional), ii) name protected with a mandatory logo and iii) logo protected while the name remains free of use.

Those logos have two main attributes. One is to *inform consumers* that the name is a Geographical Indication, as not all consumers are aware the product is an origin product, especially on the long distance market, a tool for marketing. This is particularly true for the official national logos.
In West Africa, logos are supposed to make this category of products and the guarantees attached to them better known by consumers, in particular by distinguishing them from other products with a simple indication of source.

The other objective, quite new, introduced only in 2006 in the EU Regulation is to permit easier identification of these GI products on the market, thereby *facilitating checks*. The obligation of use the official logo in the same zone of the protected name on the label, is supposed to strengthen the market regulation and the fight against frauds and misuses on the names.
The OAPI regulation provides also that logo will facilitate fight against frauds as well as contribute to the fluidity of commercial transactions at national, regional and international level, while limiting the risks of confusion between products of the same category and of different origins. In Thailand, logos are clearly only for controlled products.

Moreover, commercial brands are still in use within the GI system (see for example, Champagne or Camembert de Normandie). So, if there is enough place, the label must gather the several information on i) the firm and its market identification (including commercial brand), ii) the name that has been protected by public authorities, iii) the logo of the GI and iv) eventually other logos (such as Organic farming for example). However, such accumulation seems *diluting the core information: the protected name.*

Conclusions

As a conclusion, the whole concept of an intellectual right to a name, based on the creation of the reputation of a product in a given place by a localized collective whose common production rules make this reputation possible (Hermitte, 2001), is thus put at risk by its association with a logo. Logos are designed to be easily recognized by customers on the market, becoming a proxy for the certification warranties and a warning sign for the authorities in charge of the controls. With the risk of a GI logo becoming a simple brand - club, and a GI name being a simple indication of source, without exclusive right on it, far from the expected territorial development objectives!
It is therefore urgent to reaffirm *the reservation of the name*, which goes hand in hand with the endogenous dimension of the GI, i.e. a set of specifications established by a group representing all the actors involved in the GI product. An affirmation endorsed by the wines and spirits producers in the EU who have still managed to avoid this mandatory use of the logo that puts at risk the concept of GIs. of

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C.2 Nature des IG (2): sui generis et autres formes juridiques

An examination of the legal framework for origin-linked goods in Zimbabwe: Producer perspectives on legal protection of Chipinge coffee

Charlene T. Musiza[1]

Abstract –Zimbabwean coffee, known among coffee aficionados as Chipinge coffee has re-emerged on the global market. Cultivated by mostly small-scale farmers in the Eastern Highlands, the coffee possesses a distinct taste, and therefore could be protected as a trademark or geographical indication. The research investigated the scope of the legal regimes within the context of Chipinge coffee. Zimbabwe has two approaches to protection of origin-linked goods: the trademark system and a geographical indications law. Using Chipinge coffee as a case study, the objective of the research was to ascertain from coffee farmers their perceptions on legal protection for the coffee and highlight the advantages and limitations of each legal protection system.

Keywords **– coffee, trademark, geographical indication**

Introduction to using the template

Over the last few years, coffee cultivation in Zimbabwe has grown with an increase in small-scale farmers growing coffee in the Eastern Highlands of the country. Coffee is produced in four districts in the Eastern Highlands of Zimbabwe: Chipinge, Chimanimani, Mutare and Mutasa. The area is climatically suitable for coffee production, mostly Arabica coffee. The coffee is often referred to as Chipinge coffee, a name derived from the area where the coffee was first grown (Kireeva and O'Connor, 2010).

In 2018, Nestle introduced a limited edition of the Arabica coffee known as Tamuka mu Zimbabwe. The coffee is attracting a niche market but has no specific brand for identification, apart from the one used by Nestle. This raises questions concerning the prospects of trademark and geographical indication protection for the coffee. Zimbabwe has broadly, two approaches to protection of origin-linked goods: the trademark system and a *sui generis* geographical indications law.

The aim of the research was to ascertain from the coffee farmers whether legal protection of the coffee would be advantageous or disadvantageous and examine the potential and limitations of the legal frameworks to protect Chipinge coffee.

Research Methodology

The study employed a qualitative research method. An exploratory case study was undertaken to assess the potential and limitations of the existing legal frameworks to protect Chipinge coffee.

Primary data was collected via interviews and direct observation. Secondary data was compiled from legal documents, policy documents, research reports and newspaper articles. The interviews were with small scale coffee farmers in Bvumba, located in the Eastern Highlands of Zimbabwe (Figure 1).

Ten participants were chosen on five criteria, membership of a coffee cooperative, farm size (less than 17 hectares), and years of experience in coffee farming, labour hired and wages paid. Interviews were also held with three other stakeholders, the Zimbabwe Coffee Mills (ZCM), which plays an intermediary role; officials from the Zimbabwe Intellectual Property Office (ZIPO) involved in intellectual property administration; and a researcher from the Coffee Research Institute (CoRI), a division of the Department of Research and Specialist Services.

Relevant literature and the primary data collected were analysed to interpret and understand the results of the study.



Figure 1. Eastern Highlands of Zimbabwe

Research Findings

The characteristics of Chipinge coffee

The Eastern Highlands is the only region suitable for coffee cultivation in Zimbabwe. Chipinge coffee is a

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full body coffee with an earthy chocolate aroma and sweet woody flavour and the fermentation and drying process affect the body and flavour of the coffee. Cultivated in deep moisture rich soils its acidity is affected by the high rainfall averaging 1000 mm and cool temperatures averaging between 24 and 26 degrees Celsius (Chemura et al., 2014).

Awareness of trademark and geographical indication

Of the ten farmers interviewed, three knew what a trademark and geographical indication were and could rightly identify these on a product. As to the reasons for a distinguishing mark for Chipinge coffee, at least six were of the view that having a distinguishing mark would be a viable strategy to identify and market.

Discussion of findings

Purpose of a legal protection scheme

The farmers were of the view that such a strategy could be used to market Chipinge coffee. It emerged from the research that the farmers viewed a trademark or geographical indication scheme as a marketing strategy, thus the focus on the legal form of protection was not a major consideration. The implication could be that the legal protection scheme *per se* may not matter as much to the farmers, if it delivers results i.e., serves as a marketing strategy.

Potential legal protection of Chipinge coffee

It emerged from the research that protection for Chipinge coffee could fall under: trademark, collective mark, certification mark, and geographical indication. In terms of s 12 (1)(d) of the Trade Marks Act (Chapter 26:04) (The Trade Mark Act), geographical names *per se* cannot be registered as trademarks, and 'Chipinge' is a geographical name. However, the proviso to s 12 (1) (d) of the Act states that if the word or name contains an 'additional essential particular that makes the intended significance clear beyond doubt', registration is possible. The inclusion of the word 'coffee' after Chipinge would suffice to meet this requirement. The word 'coffee' speaks for itself, and coupled with 'Chipinge' it creates an association between Chipinge and coffee. Other popular trademarks in Zimbabwe incorporate geographical names, for example Tanganda Tea and Cashel Valley Beans (Nyakotyo, 2013)

Perhaps the main advantage of trademark is the possibility of licensing Chipinge coffee. For example, one of the most notable branding efforts for coffee in Africa is the Ethiopian Trademark and Licensing Initiative (Christie and Rotstein, 2010) which licensed Ethiopian coffees.

As the farmers expressed a willingness to participate in a scheme that they could all benefit, a collective mark can be considered. Section 100A (1) and (2) of the Trade Mark Act state that the application for registration must be done by an association and be accompanied by a copy of the constitution of the association. There is currently no single association of coffee growers, but several cooperatives throughout the region with no formal structure and therefore a potential challenge. Furthermore, the Act is silent on whether an application for registration must be accompanied by the rules governing the use of the collective mark.

Chipinge coffee can also be registered as a certification mark in respect of origin, mode of production or quality. In terms of s 42 (1) of the Trade Mark Act, the mark cannot be registered in the name of a person who carries on trade in the goods for which the mark is certified. Though the obvious choice of a certifying body would be ZCM, the challenge could be that it is involved in the trade of the coffee. But, as an entity it does not actually trade in the coffee as it facilitates trade in the coffee – it is involved in processing and marketing the coffee on behalf of the coffee growers, and not in its' capacity as a legal persona.

With a geographical indication, the law envisages a strong link to origin, that is a description of the product including its' physical, chemical, or organoleptic characteristics and the link to the characteristics attributable origin. However, there does not seem to be any study that has investigated the link between Chipinge Coffee quality and the geographic origin. Anecdotal evidence, however, does suggest an origin link between the climatic and human factors in the Eastern Highlands and Chipinge coffee (Chemura et al., 2014)

Conclusion

The most scalable option for Chipinge coffee would be a certification mark given that ZCM already undertakes some quality assurance. There is however, no hindrance to pursue both options, initiating the geographical indication process and simultaneously registering a certification mark.

Given that the study is exploratory, and the findings drawn from a small pool of participants, it would be important to get the views of a much larger group of coffee growers.

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Protecting GIs through EU collective marks

A. Moerland[1]

***Abstract* – This paper focuses on whether the current EU collective mark system offers a viable alternative to protecting geographical indications through PDO and PGI protection. I argue that it currently does not as 1) it is not in compliance with the TRIPS Agreement, 2) it does not safeguard the representation of the interests of all producers, and 3) it does not offer protection against confusion as to geographical origin. Recommendations are made on how to address these.**
***Keywords* – EU collective marks, Darjeeling case, applicant group, confusion against geographical origin**

Introduction

On 13 April 2022, the draft legislative proposal of the European Commission on the protection of geographical indications (GIs) for craft and industrial products (EU Commission, 2022) has been published. With this, the European Union has moved a step closer to protecting GIs for non-agricultural products at EU level. Up until now and until the regulation will enter into force, one of the most designated systems to obtain protection for geographical indications for non-agricultural products at EU level is the EU collective mark system. But even with a sui generis GI system in place for origin-based products, collective trade marks will still have a role to play.

At the same time, the EU collective mark system presents a number of weaknesses that raise questions. First, it is unclear whether the link between the product and the territory set out in Art. 22 of the TRIPS Agreement is sufficiently guaranteed by collective trade mark protection. Second, in practice, not only associations of manufacturers and producers register collective marks but also individual company. This puts under pressure the goal of inclusivity for the applicant group. Third, since the Darjeeling judgment C-673/15 P to C-676/15 P of the Court of Justice of the European Union (CJEU), it is questionable whether collective marks can fulfil the function of protecting geographical origin of products; the CJEU seems to reduce their protection to the commercial origin.

These concerns are significant for origin-based products that merely rely on EU collective mark protection. Whether EU collective marks present an adequate tool to protect geographical indications is important for any group of producers of origin-based products when deciding which protection scheme to choose. Also for consumers, it is relevant to know which quality of the link with the actual territory a collective mark demonstrates, which entity stands behind the registration of the mark, and what information exactly is protected by an EU collective mark indicating origin.

So far, not much literature has addressed these questions. Coutier and Ath (2016) compare the protection regime for collective marks with that of Protected Designation of Origin (PDOs) and Protected GIs (PGIs) in the EU, but do not highlight these aspects. Heath (2017) critically discusses the Darjeeling case in relation to the function of collective marks, but does not highlight other insufficiencies of collective marks. In this paper, I focus on whether the current EU collective mark system offers a viable alternative to protecting geographical indications through PDO and PGI protection. I argue that it currently does not as 1) it is not in compliance with the TRIPS Agreement, 2) it does not safeguard the representation of the interests of all producers, and 3) it does not offer protection against confusion as to geographical origin. Recommendations are made on how to address these.

Methodology

This paper is based on doctrinal legal research methods, which include the interpretation of legislation and case-law. Literature search in the fields of law and economics was carried out and supports that analysis. In order to answer the normative question as to whether the collective trade mark system is a viable alternative to GI protection, the benchmark is 1) whether the TRIPS Agreement obligation is fulfilled, 2) whether a benefit for all producers of a GI product is guaranteed, and 3) whether the function of protecting GIs is fulfilled.

Results

First, according to Art. 74.2 EUTMR, signs that indicate geographical origin can constitute a collective mark. The law does not stipulate criteria that require the quality, characteristics or reputation of the good to be linked (or essentially attributable) to a specific territory. This, however, is required under the TRIPS Agreement. As exemplified by the Sidamo coffee case (WIPO 2022), a conscious choice has been made by the Ethiopian Intellectual Property Office to register (individual) trade marks (EUIPO trade mark number 004348751) instead of a geographical indication, for the very reason that trade marks do not set out that the products carrying the trade mark must come from a geographical region linked to the geographical name used, unless one can show they would be deceptive. Nor is there a requirement what the nature of the link between the product and the region needs to be. While there is strong scepticism whether the grant of

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trade marks containing exclusively a geographical name is justified in this case (Heath 2017), the flexibility trade mark law provides has allowed the Ethiopian government to obtain exclusive rights to a geographical indication at least in the US, the EU, Japan and Canada.

However, this case also shows that geographical indications who are protected through an individual or collective trade mark do not necessarily have to come from a specific region, nor do they have to be produced under the same conditions that would link the product to a the region. EU collective mark protection does not remedy this problem. Neither EU Trade Mark Regulation 2017/1001 (EUTMR) nor Directive 2015/2436 set out an obligatory condition that where a collective mark indicates geographical origin, the requirements for membership must include the definition of the link to the geographical region.

Second, the concept of the proprietor for collective marks is not sufficiently defined. Art.74(1) EUTMR sets out that an association of manufacturers, producers, suppliers of services, or traders can register a collective mark. Two problems are related to this. In practice, not only associations but also individual companies have registered collective marks, which points to insufficient rigor in applying the examination criteria. Another problem is that the EUTMR and TMD do not require applicants to represent the interests of all producers of the product originating from the region. This, however, means that the applicant who determines the regulations governing use in the collective mark application, potentially can exclude the interests of certain producers. This feature of the collective mark system, which had also been noted for the GI system (Gangjee 2017), should be remedied in order to guarantee benefit for all producers of an origin-based product.

Third, the CJEU in the Darjeeling case highlighted that the purpose of a collective mark for a geographical indication is different from the function of a GI: it distinguishes goods or services of members of an association from those of other undertakings, and it does not distinguish goods according to their geographic origin. This means collective mark holders could not claim that consumers are confused about the geographical origin of products where other producers use the geographical name without originating therefrom. Only confusion regarding the commercial origin, so from a particular association, is actionable. This triggers the question as to whether EU collective marks then are an adequate tool to protect geographical indications. While the function of collective trade marks certainly is to distinguish commercial origin of products from the association, it could be enlarged for geographical collective marks. Arguably, the special safeguard in Art. 74.2 EUTMR also establishes a specific right for third parties to use geographical EU collective marks according to honest practices where the products indeed originate from the indicated place. Special treatment, therefore, already exists for geographical collective marks.

Recommendations

First, in order to make collective mark protection for geographical indications TRIPS-compliant, the EUTMR and TMD should set out an obligation for the association to establish 1) the geographical origin from where products can come from, 2) the link with the geographical territory, and in particular 3) whether the products' quality, reputation or other characteristics are essentially attributable to the geographical origin.

Second, in order to make sure that only associations can register collective marks, it is recommended that the EUIPO and national trade mark offices, when confronted with a geographical collective mark, require the applicant group to produce an affidavit or another declaration that the group represents the interests of all producers of the product carrying the collective mark.

Third, in order to protect geographical collective marks against confusing use in relation to the geographical origin (which is the very purpose of seeking an IP right for the geographical name), the function of geographical collective marks should be interpreted as to include confusion on the basis of geographical origin, in addition to commercial origin. Should the CJEU not follow that line, certification marks may serve as another alternative in order to achieve a more appropriate scope of protection. The function of certification marks is to certify compliance with the standards set; where one of them includes geographical origin, these certification marks would be protected against use on products that do not comply with with the geographical origin. Currently, however, certification marks at EU level are not available for geographical indications. This would require an amendment of the EUTMR.

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LA ESPECIALIDAD TRADICIONAL GARANTIZADA O LA INDICACIÓN GEOGRÁFICA PROTEGIDA COMO ESQUEMAS DE CALIDAD PARA LA TUTELA DEL JAMÓN SERRANO

Vicente Gimeno Beviá

Resumen **–El jamón serrano, además de uno de los platos más típicos de la gastronomía española, desde un punto de vista económico se encuentra, sin género de duda, entre los productos cárnicos más comercializados a nivel tanto nacional como internacional. Reconocido desde finales de siglo pasado como especialidad tradicional garantizada, esta protección no parece suficiente para parte de la industria cárnica que proponen un cambio a otro esquema de calidad diferenciada, concretamente, la solicitud del jamón serrano como indicación geográfica protegida. El presente trabajo centra su estudio, desde un punto de vista jurídico, en la valoración de cada uno de los argumentos a favor y en contra de la anulación del nombre "jamón serrano" como especialidad tradicional garantizada y su posible inscripción como indicación geográfica protegida.**

Palabras clave: **jamón serrano, especialidad tradicional garantizada, indicación geográfica protegida.**

ESTADO DE LA CUESTIÓN

El jamón serrano está protegido como especialidad tradicional garantizada desde 1999. Sin embargo, en 2015 la mayoría del sector jamonero español representado por la Fundación Jamón Serrano Español y la Asociación Nacional de Industrias de la Carne de España solicitaron en el Ministerio de Agricultura, Pesca y Alimentación el registro de la IGP «Jamón Serrano». Frente a dicha solicitud se opuso el Consejo Regulador de la IGP «Jamón de Trevélez» y, posteriormente, otros representantes de esquemas de calidad diferenciada, principalmente, de la zona de Andalucía. Tras un proceso de revisión técnica del expediente por la Comisión Europea y varias modificaciones en el pliego de condiciones propuesto, finalmente, el Ministerio de Agricultura, Pesca y Alimentación emitió una resolución de 21 de diciembre de 2021, de la Dirección General de la Industria Alimentaria, por la que se adopta y publica la decisión favorable relativa a la continuación del procedimiento para el registro de la Indicación Geográfica Protegida «Jamón Serrano». Dicha solicitud comprende todo el territorio español con excepción de las ciudades autónomas de Ceuta y Melilla. En el marco de dicho procedimiento enviaron, también, una solicitud de anulación de la Especialidad Tradicional Garantizada (ETG) "jamón serrano" en tanto que es requisito necesario para el registro como IGP, de conformidad con lo previsto en el artículo 6.3 del Reglamento (UE) nº 1151/2012, que no exista un nombre homónimo de otro que ya esté inscrito en el registro. Pero, para el caso de que finalmente no prosperase, supeditan la solicitud de anulación a la inscripción simultánea del jamón serrano como indicación geográfica protegida

TESIS FAVORABLE AL REGISTRO COMO IGP

Los partidarios del cambio de protección del jamón serrano como indicación geográfica protegida justifican su posición con base en los siguientes argumentos: i) La limitación territorial de la protección pues, con la indicación geográfica protegida, el nombre "jamón serrano" quedaría reservado, exclusivamente, para aquellos jamones de España que reúnan las características indicadas en el pliego de condiciones. ii) La mayor protección que encuentran en los tratados de libre comercio suscritos por la Unión Europea con terceros países, toda vez que, acuerdos como los celebrados con Mercosur, Méjico o, recientemente, China, establecen la protección recíproca de sus DOP e IGP pero no de las ETG. iii) La profesionalización del órgano de gestión de la IGP a través del Consejo Regulador que permite un mejor control de los operadores inscritos.

TESIS CONTRARIA AL REGISTRO COMO IGP

Por el contrario, quienes se oponen al registro del jamón serrano como IGP lo hacen con base en los siguientes motivos: i) Devaluación de las restantes IGP de jamón curado de cerdo blanco en la medida en que los requisitos del pliego de condiciones propuesto para el jamón serrano son menos exigentes que cualquier otra indicación de jamón; ii) Falta de vinculación del producto con un origen geográfico, toda vez que consideran que, realmente, el jamón serrano identifica un método de producción tradicional pero no un lugar concreto; iii) Carácter genérico del término "serrano" que, según el Diccionario de la Real Academia Española, precedido del término "jamón", significa "jamón curado" y, por tanto, tiene la consideración de genérico lo que impediría su registro ex. art. 6.1del Reglamento (UE) no 1151/2012.

COMENTARIO SOBRE LA VIABILIDAD DEL REGISTRO DEL JAMÓN SERRANO COMO IGP

Pese a la oposición planteada ante el posible reconocimiento como indicación geográfica protegida, los argumentos en contra no suponen un verdadero impedimento para que prospere la solicitud.

El criterio relativo a la menor exigencia del pliego de condiciones aportado en la solicitud de la IGP jamón serrano en comparación con otras indicaciones geográficas o denominaciones de origen no tiene una base jurídica que lo sostenga. En este sentido, no hay norma alguna que señale que deban advertirse estándares comunes entre las propias indicaciones geográficas protegidas de un determinado producto, aunque haya Consejos Reguladores que consideren que ello afecta a su reputación o conlleva una dilución de su signo distintivo de calidad. Es más, tampoco existen obstáculos para que las condiciones establecidas en el pliego de la especialidad tradicional garantizada "jamón serrano" se mantengan en la indicación geográfica protegida. Para que prospere la solicitud es suficiente con que el pliego de condiciones cumpla con el contenido mínimo previsto en el artículo 7 del Reglamento (UE) no 1151/2012 del Parlamento Europeo y del Consejo, de 21 de noviembre de 2012, sobre los regímenes de calidad de los productos agrícolas y alimenticios.

Tampoco parece terminante el argumento que señala la inexistencia del vínculo entre una cualidad determinada, la reputación u otra característica del producto y el origen geográfico, establecido como elemento esencial de dicho esquema de calidad según el art. 5.2 del citado Reglamento comunitario. En este caso, la solicitud incide en la reputación como factor predominante con el medio geográfico. La relación del serrano con España está justificada por su reconocimiento externo y consideración en el extranjero de producto típico de la gastronomía española. Para ello aportan como prueba encuestas, referencias de prensa y revistas internacionales, páginas web de recetas y gastronomía o múltiples obras de nuestra literatura en donde, en muchos casos, a la expresión "jamón serrano" le sigue el adjetivo calificativo "español", de modo que el público circunscribe el producto a un territorio determinado. Además, a diferencia del momento en que tuvo lugar el registro de la ETG jamón serrano, actualmente ya hay varias indicaciones geográficas protegidas que comprenden toda la extensión de un país (ad. ex. "Gouda Holland", "Edam Holland" o "Halloumi"). E, igualmente, hay registradas en la Unión Europea otras indicaciones geográficas protegidas que tienen una extensión superior a la española, como es el caso de la IGP Café de Colombia y, aunque están sujetas a otra normativa, lo mismo ocurre también en el caso de algunas bebidas espirituosas (por ejemplo, la IGP Tequila).

Por último, también debe rechazarse el posible carácter genérico de la expresión "jamón serrano" que no es sinónimo de jamón curado. Ello se deduce de la legislación nacional específica, como el Real Decreto 474/2014, de 13 de junio, por el que se aprueba la norma de calidad de derivados cárnicos, que tiene una definición expresa del término "curado" vinculado con una de las técnicas específicas de elaboración de los derivados cárnicos. También la casuística en el registro de los esquemas de calidad revela una posición favorable a la admisibilidad de los términos propuestos, como quedó de manifiesto en la conocida sentencia del Tribunal de Justicia de la UE de 25 de octubre de 2005 sobre el supuesto carácter genérico del nombre "Feta" y en otros casos posteriores. Además, igual que en 1999 se permitió el registro del jamón serrano como ETG ante la ausencia de carácter genérico, no parece que, actualmente, deba negarse el registro habida cuenta que, desde entonces, la correcta comercialización del jamón serrano ha permitido al consumidor, en cualquier punto de venta, diferenciar entre los jamones protegidos por una IGP o DOP específica, otros que utilizan la ETG jamón serrano y, por último, jamones y paletas de otras marcas, visualmente similares, pero que identifican su producto con la expresión "jamón curado" y que no están protegidos por ningún esquema de calidad diferenciada.

Conclusiones

Desde un punto de vista económico, la especialidad tradicional garantizada, si bien fue útil en su momento para la promoción del jamón serrano y su comercialización en el mercado interior, actualmente se revela como un esquema de calidad que ofrece una protección insuficiente ante la apertura a nuevos mercados y la posibilidad de que operadores extranjeros elaboren un producto típicamente español. Las pérdidas que implica su falta de reconocimiento en los acuerdos bilaterales hace necesario, al menos, el estudio sobre la viabilidad de su registro como indicación geográfica protegida. Y a la luz de lo expuesto, ante el inminente pronunciamiento de la Comisión Europea sobre el posible registro de la indicación geográfica protegida "jamón serrano", parece que no existen motivos que justifiquen una resolución negativa. Sería, cuanto menos, paradójico, que no prosperara la solicitud con base en el criterio de la vinculación territorial cuando existen, actualmente, derechos de propiedad intelectual similares, no solo de Estados miembros, sino también de países que no forman parte de la Unión Europa. En el caso de que se descarte su carácter genérico y cumplidos los requisitos establecidos en la normativa comunitaria, no parece que haya obstáculos para la concesión de la indicación geográfica protegida "jamón serrano".

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Politics, regulations, contestation, and self interest in the struggle to register Karoo Lamb as a GI in South Africa

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Abstract – In this paper we describe the various attempts to obtain government protection for the Karoo Lamb GI in South Africa. The paper highlights the Karoo Lamb producers' quest to get GI protection and show how retailers and some Karoo farmers obstructed GI registration. We also illustrate that that the GI concept is still not well appreciated in South Africa with limited understanding for the value of collective brands, certification marks and GIs per se. In addition, there seems to be considerable mistrust and confusion amongst producers and abattoirs about the role of GI organisations and their role in helping individual entrepreneurs expand their business to protect the reputational value of a GI product to get their product to high-end markets nationally and internationally.

Keywords – GI registration, Karoo Lamb, South Africa.

Introduction

The intellectual work on Geographical Indications in South Africa was initiated in 2005 when a DURAS[2] funded project was implemented. While South Africa has a rich diversity of agricultural products with characteristics attributable to their geographical origin, there has been no public legal system for protecting GIs (Bramley, Bienabe, and Kirsten, 2013). The DURAS project unpacked the characteristic of at least 20 short listed agricultural commodities in South Africa to establish whether they fit the definition and specifications of Geographical Indications (See Bienabe, *et al*. 2008). In the end, after a long period of investigations and stakeholder meetings only three products Rooibos, Karoo Lamb and Honey bush tea were taken forward for full GI protection. These three products had different routes in their journey to GI registration.

This paper provides a detailed account of the legal, regulatory, and consultative processes to get Karoo Lamb registered as a GI in South Africa. The paper first describes the initial process post the DURAS project which led to the implementation of a certification scheme for Karoo lamb as a 'placeholder' for the final registration of a Karoo Lamb GI. Then we provide an historic record of the politics linked to the GI legal frameworks in South Africa and then describe the various attempts to get official registration of the Karoo Lamb GI; first under the Merchandise Marks Act and then two attempts under the new GI regulations of 2019 gazetted by the Department of Agriculture.

Karoo Lamb as a product of origin

Karoo Lamb has been part of South African culture for more than a hundred years. It is part of South African cuisine and many businesses and towns in the Karoo market themselves as 'the home of Karoo Lamb'.

This lamb reared on natural indigenous Karoo veldt in the central arid part of South Africa is believed to produce meat with a unique flavour (Erasmus, 2017). The unique identity of, and the geographical value attached to, Karoo Lamb makes it possible to sell Karoo Lamb at a premium price above an ordinary lamb product.

This unique identity makes the product exceptionally vulnerable to opportunistic behaviour by stakeholders who do not comply with the strict Karoo Lamb production protocols.

The early stages of protection of Karoo Lamb in South Africa

Following the work of the DURAS project the first business was to register a certification mark for Karoo Lamb. The certification mark (or quality indication) "Certified Karoo Meat of Origin" and its production protocol was registered in October 2013 with the Department of Agriculture in terms of the "*Regulations regarding the classification and marking of meat intended for sale in the Republic of South Africa*" (No. R. 863 of 1 Sept 2006 and later revised to R. 55 of 30 January 2015). This was therefore the first formal 'public' protection of Karoo Lamb.

Under the requirements of Regulation R.55 of 2015, the Department of Agriculture appoints an 'assignee' to do independent audits to verify the origin claim of Karoo. The audits of the farms, abattoirs and retailers registered under the certification scheme, cost the organisation a considerable amount of money.

By the end of 2015 and through the assistance and funding provided by two provincial departments of agriculture, there were 6 abattoirs enrolled under the certification scheme and 209 farmers with 417 farms covering 2,05 million hectares in the core region of the Karoo (estimated area of 7 million hectares). The registration and audit costs were covered by the Government grants with no costs incurred by abattoirs, retailers and farmers.

Karoo Lamb and the negotiations for the Economic Partnership Agreement, 2013-2016

One of the pre-conditions during the negotiations for the Economic Partnership Agreement (EPA) was that South Africa should provide evidence that it has the

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legislative means in place to protect geographical indications. The South African government offered to the EU, as an interim measure, the Merchandise Marks Act (Act 17 of 1941) as the legal instrument by which it will protect European GI names in South Africa. To understand how that will work the EU negotiators requested that South African GIs should first be protected under this Act. At that stage there were no South African GIs identified and the government was desperately looking for products to illustrate the workings of the Act. Word got the Minister of Trade and Industry of the DURAS project, and he then requested the research team to provide the 'rules of use' for the three GI products identified in the project: Karoo Lamb, Rooibos and Honey Bush.

The notice announcing the proposed prohibition of the use of the words 'Karoo Lamb' was published in the Government Gazette in terms of the Merchandise Marks Act on 1 November 2013 (Notice 1074 of 2013). Whereas the notices for Rooibos and Honey Bush received no or minor comments, the Karoo Lamb proposed prohibition was met with some stiff comments. In the end the Registrar of Trademarks rejected the application for the protection of the Karoo Lamb name on the grounds of the various contestations with private rights and the political sensitive nature of the case. This created a major problem for the European negotiators as South Africa still could not provide evidence of its ability to protect a GI in the meat or cheese industries.

The introduction of GI regulations in South Africa

When the SADC-EU EPA was finally signed in 2016 the task was now for the Department of Agriculture to finalise the regulations for Geographical Indications so that all GI names[3] can move from the Merchandise Marks Act to these new regulations. The initial drafts of the regulation were prepared towards the end of 2015 and finalised in November 2016, but it took more than two years for the Minister of Agriculture to sign off on the regulations and R.447 of 2019 were only gazetted in March 2019.

The first test case of the regulations was the application for the Karoo Lamb GI. As we explain below the Karoo Lamb application highlighted several legal and technical problems with the regulations which again scuttled the process to register the Karoo Lamb GI. Consequently, there had to be amendments to the regulations, and this is, at the time of writing, still in process. The amendments address the constraining rules of 'representativity of the group', the role of auditors, and the introduction of the RSA-GI logo.

Karoo Lamb applications for GI registration

Following the publication of the GI regulations in March 2019 the consortium, representing the interests of the Karoo Lamb supply chain members, submitted the application for the official registration of the Karoo Lamb GI in June 2019. The notice of the 'intention to register Karoo lamb as a GI' was published in the government gazette of 2 August 2019 for public comment. The comments received once more illustrated the lack of understanding of South Africans about the meaning and role of a GI. The dominant view was that the GI registration is likely to infringe on private rights.

Despite a well-argued rebuttal and counterstatement by the applicants, the Department of Agriculture still thought it wise to reject the application in early January 2020 on the grounds that insufficient buy-in was obtained from all stakeholders and that an inclusive stakeholder meeting should be called to obtain final agreement on the rules for the GI.

Following a successful stakeholder meeting in February 2020, the 2nd application for the GI registration was submitted in July 2020. This application was also rejected on 30 April 2021 on the grounds that the applicant group fails to represent "at least 50% of the production volume of the agricultural product concerned". To our view this is an incorrect interpretation of the regulations.

This situation obviously created a larger dilemma for the South African government and necessitated a change to the regulations to remove the prohibitive and unnecessary dimensions of the regulations. Draft amendments of the regulations were prepared and published for comment.

Once the amended regulations are gazetted a new application for the formal registration of the Karoo Lamb GI will be submitted and the hope is that it will then establish the minimum rules and requirements for anyone that complies to use the words 'Karoo Lamb'. It could happen that this is finalised in 2023 – almost two decades since the initial intellectual work on GIs was undertaken in South Africa.

Conclusion

The paper documents the Karoo Lamb producers' quest to get GI protection for Karoo Lamb and show how retailers and some Karoo farmers are obstructing GI registration. The paper shows that that the GI concept is still not well appreciated in South Africa largely due to the existing system of intellectual property rights protection, which vests all rights in the hands of individuals or individual companies. As a result, there is limited appreciation for the value of collective brands, certification marks and GIs per se. In addition, there seems to be considerable mistrust and confusion amongst producers and abattoirs about the role of GI organisations and their role in helping individual entrepreneurs expand their business to protect the reputational value of a GI product.

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[3] By the end of 2016 a total of 112 European GIs were listed and protected under the Merchandise Marks Act.

C.3 Nature des IG (3) : hétérogénéité et protection

Appellations of origin and geographical indications in the wine sector: historical overview of the evolution of these two notions, the role of the OIV as an intergovernmental organisation of the vitivinicultural sector

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The OIV is an intergovernmental organisation of scientific and technical character created in 1924. It currently counts 48 Members States, which are responsible for 86% of worldwide production of wine and for over 65% of total world wine consumption.
Wine sector has been at the origin of the development of the systems of recognition and protection of appellations of origin and geographical indications and contributed considerably to their international acceptance and promotion.
This article presents a historical overview of debates that took place in the OIV since its creation in 1924. We will present the evolution of the definitions, recommendations regarding protection and recognition, the link with other intergovernmental debates on protection of intellectual property.
The OIV is in a constant process of revision of these two main concepts. While being a major actor in their development and promotion, the OIV needs to keep concepts agreed for wine sector in line with main international agreements. We have recently adopted (2021) new updated definitions of a Geographical Indication and an Appellation of Origin in the vine and wine sector. The new definitions are based on the TRIPS agreement and on the Geneva act of the Lisbon agreement and reply to major concerns of our sector.
Finally, we will illustrate the evolution of the link to the geographical origin of a product over the last decades: from an appellation of origin to international definition of "terroir" and finally, the role of the link to the place of elaboration in the overall sustainability of production systems.

Keywords **– OIV, geographical indication, appellation of origin, definition, terroir, WTO, WIPO.**

Introduction

The link to the terroir and the place of production is of particular importance for the wine sector. The protection of appellations of origin has been at the heart of the concerns of the OIV since its creation in 1924. Indeed, article 1 of the Agreement establishing the International Wine Office signed on 29 November 1924 already provided that the Office would be responsible for submitting to the governments all proposals likely to ensure both in the interest of the consumer and that of the producer… the protection of appellations of origin of wines. The Agreement of 3 April 2001 on the creation of the International Organization of Vine and Wine also retains the attribution of "submitting to its members all proposals relating to... protecting geographical indications, especially vine and wine growing areas and the related appellations of origin, whether designated by geographical names or not, insofar as they do not call into question international agreements relating to trade and intellectual property".

How to ensure that the link between the quality of the product and its place of production is guaranteed against usurpation? Throughout its existence, the OIV has worked on the international harmonization of the concepts of geographical indications (GI) and appellations of origin (AO). The concepts were defined three times, in 1947, 1992 and in 2021, adapting constantly to the changes of production models and the expectations of the market. These major periods were accompanied by actions aimed at strengthening the international protection of GIs and AOs and improving their promotion. Finally, the notion of terroir saw its international definition adopted by the OIV in 2010.

1947 : Definition of the Appellation of Origin (AO)

The first definition of the AO was adopted by the General Assembly in 1947 (OIV, 1947) and was indirectly confirmed in 1983 by the adoption of the "OIV international wine labeling standard". The definition does not directly require that an AO must be a geographical name. The door remained open to the traditional names of products originating from a particular geographical area (Sherry, ouzo, etc.) The essential features are:

- The uses and notoriety of the product and area
- Natural factors (soil, climate, exposure)
- Human factors
- Defined grape varieties

The notoriety of AO was already considerable in 1947. The wine-growing community was concerned about the possible similitude of treatment with trademarks and general product designations. Indeed, at the same time discussions on these issues are initiated by the Food and Agricultural Organisation and International Trade Organisation. By adopting the definition of AO, the OIV seeks to ensure effective differentiation of appellations that have already acquired a reputation. "This definition is that of the 'Club' of historic and traditional appellations" (Tinlot, 1989).

In 1958, eleven years after the adoption of the definition of AO by the OIV, the adoption of Lisbon

Agreement, marks the beginning of multilateral protection of AOs

1992: Definition of the Recognised Appellation of Origin and the Recognised Geographical Indication

The 1947 OIV's and 1958 WIPO's definitions of AO, requiring the accumulation of three elements – geographical origin, natural and human factors – have not been able to integrate the realities of many producing countries. Indeed, some countries use the geographical designation in the description of the product without requiring the human factor. These designations are a demonstrated quality factor for both the producer and the consumer, and they deserve adequate protection. Faced with this observation, the OIV initiated the process of revision of the 1947 definition. Two concepts were then defined in 1992 (OIV, 1992): Recognized Appellation of Origin (RAO) and Recognized Geographical Indication (RGI). Like its predecessor, the RAO requires the accumulation of the three factors. As for the RGI, either the natural factor or the human factor is required. The new definitions of the concepts describe them as being geographical names (likewise the definition of the AO of the Lisbon Agreement). For wines, all the grapes must be harvested in the zone defined both for the RGIs and the RAOs. In addition to this condition, for the RAOs vinification must take place in the area defined. For spirit drinks, the obligation of the entire harvest in the area applies only to RAOs. For a spirit drink benefiting from a RGI, it is the place of transformation that provides the link with the geographical area.

In 1994 the WTO adopted the TRIPS Agreement. Only Geographical Indications are concerned. Wines and spirits were granted a specific consideration in this instrument.

2021: revision of the definition of RGI and RAO with the objective to maximise their harmonisation with other multilateral protection instruments

Several findings prompted the OIV to review the definitions of GI/AO concepts once again. The growing popularity of promoting strategies based on the link with the terroir in the wine sector requires better considering the production realities of the new countries that are entering the scene. Indeed, given the geographical constraints, the location of the vineyards is sometimes geographically separated from the vinification units. Protection instruments of AOs and GIs have evolved and been refined in national legislation, in bilateral and supranational agreements.

We note the establishment of a rule of use for wines benefiting from a GI concerning the minimum percentage of grapes harvested in the area. In most jurisdictions this percentage is 85%. Some countries apply the value of 75%. Thus, the new 2021 OIV's definition of the GI (OIV, 2021) establishes that for wines at least 85% of grapes must be harvested in the defined geographical area. However, it does not have a requirement for vinification location. For spirits, it is once again the decisive phase of the transformation which ensures the link with the defined geographical area.

A need to clearly mark the difference between the two concepts is observed. This difference lies in the consideration of the human factor. The human factor is then excluded from the new definition of the GI, as it is also the case in that of the TRIPS Agreement. Finally, the new definitions clearly indicate references to international agreements on intellectual property: TRIPS Agreement (WTO) and Geneva Act of the Lisbon Agreement (WIPO). With the new definitions, wine and spirits have their own definitions of AO and GI, in accordance with international agreements and which consider their specificities.

The work carried out brings us closer to the objective of harmonization and the improvement of international protection of GI and AO.

2010 : Definition of the concept of terroir

The link with the place of wine production is an extremely important concept for the wine sector. We were able to illustrate the evolutions of the concepts of GI and AO in the considerations of the OIV.

The concept of terroir is at least as much important. It was defined by the OIV in 2010 (OIV, 2010). This notion refers to an area in which collective knowledge of the interactions between the identifiable physical and biological environment and applied vitivinicultural practices develops, providing distinctive characteristics for the products originating from this area. Once a "terroir" is described, it can contribute to the recognition for the vitivinicultural products originating from that "terroir".

In the current works of the OIV, the link between the place of production and the social and cultural roles played by the sector is reinforced in the resolutions related to sustainable vitiviniculture.

Conclusion

The role of the OIV is not the enforcement of the legal protection of GI and AO, but rather to contribute to harmonisation of these concepts and to facilitate creation of multilateral instruments for effective international legal protection.

Since its creation in 1924 the OIV is working on these aspects. The notoriety and importance of these concepts all over the world, their consideration in major international agreements on the subject is clearly a success for the whole sector.

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Disparities in recognizing GIs: causes, consequences, possible evolutions

Champredonde M, Casabianca F.

***Abstract* –. Geographical Indications (GI) are labels indicating that a product possesses "a" specificity linked to the area of origin. However, the implementation of the GI does not offer full guarantees in this regard. We find strong differences in the criteria used worldwide for the GI recognition. To explain these disparities, we propose to consider three sources of drifts: technical, political and commercial. We assume that indications of source (a relation to the territory without any specificity) should be clearly differentiate from indications of origin (the place associated to specificity) recognized by GI. This would contribute to achieving a more objective and reliable system, in view of its perpetuation.**
***Keywords* – criteria, origin, source**

INTRODUCTION

Geographical Indications (GI) are labels that indicate that a product possesses "a" specificity linked to the territory of origin, the official definition talking about "quality, characteristics or reputation". This objective and symbolic specificity is built locally in the course of history. Such specificity should be identifiable and correspond to what the local society assumes as its own. The criteria on which the recognition of the GI is based should be stable, shared and known by the different countries.

However, the implementation of GIs does not offer full guarantees in this regard. The findings of ambiguities in the regulations and, above all, in their interpretations (Barjolle and Sylvander, 2000), entail a great diversity of qualities communicated under the large umbrella of the GI, with the risk of misleading.

In fact, there are strong differences in the criteria used worldwide for the recognition of Gis. Therefore, GI product are not always true origin products.

To what extent can a rating system be considered reliable if it does not always present equivalence, neither conceptual nor practical (Casabianca et al, 2011), between countries? How appropriate is a global system that benefits countries with a lower level of requirements to recognize GI? What are these drifts in the recognition process due to?

From our experience as researchers, members of recognition systems bodies and partners in processes of construction of applications, mainly in Europe and Latin America (Champredonde et al., 2013), we analyze three sources (technical, political and commercial) of these drifts.

MAIN FINDINGS

At a technical level, one cause is the ambiguities that come from the regulations themselves, especially under the PGI (but not only). One of the main difficulties is the consideration of reputation as a sufficient element to support a differentiation through PGI. In other cases, it is due to the consideration (or not) of human factors (such as know-how) as essential. Diverse interpretations of these elements explain, in part, the range of GI products that present a low degree of specificity with a weak link with their territory.

At the political and institutional level, the drifts come from different sources: the presence of officials with little specific technical training in the GI (Champredonde M., 2014), mechanisms of institutional organization for monitoring and control (Penker et al, 2022), undemanding regarding the technical bases of the GI, the pressures that can be exerted for a product to be recognized through GI, although there are no technical bases that justify it and the combination of several of them. Independence and absence of conflict of interest is required (but not always ensured) between the GI recognition bodies and the political power. In other cases, the health standards, poorly adapted to artisanal productions, marginalize local products in their more typical version.

At the commercial level, market-oriented strategies can also lead to select only the products (and then process, genetics and practice) adapted to the wishes of certain market niches outside of the area of origin. It can lead to the marginalization of typical systems and products and on the other hand to loss of specificity.

A summary of these factors is presented in Table 1.

Table N° 1: Sources of Drift

Technical	Political and Institutional	Commercial
Reputation as a sufficient element to support a differentiation through PGI.	Structures with little demand for technical analysis (Spain, or Austria, Costa Rica, Chile).	Selection of processes and products according to market criteria.
Territorial Anchorage (only symbolic quality) vs Territorial Typicity) (Champredonde	Recognition of a GI product with a national area (ex. Feta in Greece, Café de Costa Rica)	Domination of a short-term vision where GI is reduced as a fashion.

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2016)		
New products with superior commercial quality (Kiwi del SEB).	Influence of political actors on technical decisions.	Loss of specificities in the production and product processes.
The technical proof is enough (Cerdan et al. 2011).	Inclusion of IPs within Qualified GIs (Brazil)	
Industrial techniques (silage, milk pasteurization, cosmopolite breeds) accepted while other GI products prohibit them.	Sanitary and commercial regulations little adapted to "handmade" products. Counter-selection of local systems and products	Marginalization of local systems and products based on local markets or short chains (Champredonde, 2014).

Consequences

The presence of products that communicate GI without having the technical bases generates unbalanced constraints first among the producers, some of them less demanding for local resources or local practices while the others are choosing elements for ensuring a true place-based product. Such disparities are inducing great differences in cost of production or inclusion of new technologies, margins and incomes as well.

This situation also generates inequities at the commercial level. The local society may reject the GI product, as out of the shared vision of it should be. Such disconnection between local connoisseurs and the GI system places the GI product outside of the local heritage and gastronomy. Moreover, these inequities can generate unfair competition in the national market, in the exchanges between countries and be the origin of asymmetries in the commercial rights between commercial blocs.

We could identify several levels of unfair competition: i) Coexistence in a given country of GI products with contrasted situations (for example, in France, Cantal and Comté cheese share the same sign, in Argentine Salame de Tandil and Salame de Caroya) ii) Competition between countries: Countries with a large number of products benefit from the GI policy including products with low legitimacy. iii) Asymmetries between continents: Europe presents a large number of recognized products compared to continents such as America, Asia or Africa.

As a major consequence, the credibility of the GIs is finally affected: the less legitimate products are providing evidence that the sign is not trustable, even for the true place-based product.

Conclusion and perspectives

From our perspective, these drifts weaken the system, reduces credibility and induces negative effects at the territorial level. Moreover, such disparities, even discrepancies, contribute to a great confusion at customer level, as the different signs are not clearly associated to different types of link to territories. Faced with these drifts, our reflection aims at proposing possible ways of reorganization, in which situations that do not respond to the requirements of the GI are redirected to other devices such as territorial brands identifying just a local anchorage (and not place-based products) or recent productions in the territory that have high commercial quality.

In particular, we assume that indications of source (a relation to the territory without any specificity) should be clearly differentiate from indications of origin (the place associated to specificity) recognized by GI. Therefore, the protection of names would be reserved to the GI, the indication of source being assessed by traceability but not mixed with origin. In any case, new debates could take place around the exclusive use of the name, beyond the ordering of recognized and recognizable products with GI. This would contribute to achieving a more objective and reliable system, in view of its perpetuation.

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Innovating the link to origin: is there a difference between PDOs and PGIs?

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***Abstract* – This contribution aims at understanding whether there is a difference between Protected Denominations of Origin (PDOs) and Protected Geographical Indications (PGIs) when it comes to the amendments of the link to origin, in terms of making the link more or less flexible for producers. The methodology consists in an empirical analysis of the amendments to the single documents for processed meat products (class 1.2) available on the e-Ambrosia Database.**

***Keywords* - Innovation; Product Specifications; Amendments; Qualitative Content Analysis.**

Introduction

GIs are often presented as small local productions obtained with traditional methods. The fact that traditional know-how is passed down from one generation to another does not exclude that it undergoes a process of incremental development (alias innovation), where each generation adds new layers of knowledge to the inherited traditions (Graham Dutfield, 2003; Massimo Montanari, 2006).

A study on the amendments of EU product specifications for fruit and vegetables observes that Italian and Spanish amendments tend to include more flexibility and innovation, while French amendments tend to adopt stricter rules for strengthening the product's identity (Andrea Marescotti and others, 2020).

A recent study on the amendments of EU PGIs for processed meat products noticed that most amendments are justified by the need to implement new legal provisions, mainly impacting the contents of the method of production; the nature and sourcing of the raw materials and the rules on packaging and labelling (Andrea Zappalaglio and others, 2022).

Different from previous studies, the present research aims at understanding if there is a correlation between the nature of the amendments and the specific quality scheme chosen. In other words, do PDOs and PGIs have an impact on the amendment of the link to origin?

Methodology

The methodology consists of a directed content analysis of the amendments for processed meat products (class 1.2). This category allows studying both the process of production and the use of raw materials, which did not have to be locally sourced for PDOs, under the exception of Art. 5(3) Regulation 1151/2012. The unit of meaning for this analysis are minor and not minor amendments for EU PDOs and PGIs published in the EU database and approved before 1 November 2019.

The amendments have been classified using the labels 'more flexible', 'stricter' or 'both', depending on if they increase or reduce the options available in the previous product specifications.[2] The code 'clarification' is used to classify those amendments that simply correct mistakes or provide additional information on the common practice of the sector.

Research findings

Both PDOs and PGIs have rarely amended the geographical area of production. The list of amendments contains clarifications aimed at including some municipalities at first excluded by an oversight, correcting some spelling mistakes and describing the boundaries of the geographical area with a higher degree of accuracy.

Figure 1. *Amendments for PDOs*

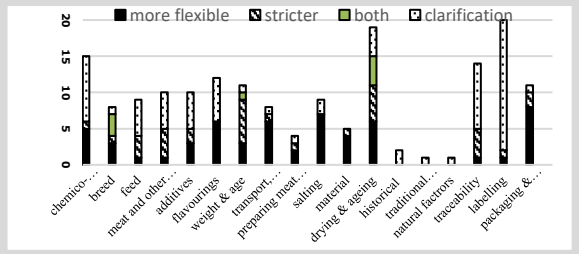
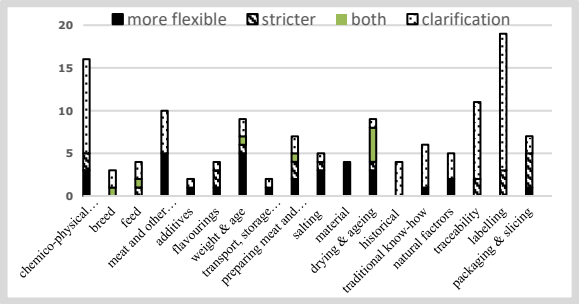


Figure 2. *Amendments for PGIs*



Amendments to the raw materials

This section starts with the analysis of the amendments to the geographical origin of raw materials, in light of the exception under Art. 5(3) Regulation 1151/2012, which allows raw materials for PDOs to come from a larger area. This section continues with the analysis of other characteristics of raw materials (namely 'breed', 'feed', 'characteristics of the meat',

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[2] An example of a 'more flexible' amendment, Coppa piacentina PDO [2010] OJ C311/24, n.8. The temperature in the drying stage range from 15°C to 25°C (originally ranged from 17°C to 20°C).

'additives', 'flavourings', 'weight and age' of the animal) and their difference between PDOs and PGIs.

The analysis shows that PDOs did not change the provisions concerning the origin of raw materials. On the contrary, 4 out of 30 PGIs allowed raw materials to come from outside the area of production.[3] The most common reason for these amendments is that product's characteristics and appearance are not affected by the extent to which the ingredients originate in the region.

The category of raw materials for PDOs presents stricter amendments when it comes to 'feed', 'meat and other ingredients', and 'weight and age'. Other sub-categories such as 'breed' and 'flavourings' present more flexible amendments aimed at allowing producers to personalise the recipe, adapting the product specifications to the growing trends of reducing the amount of salt in food.

Conversely, PGIs are characterised by a higher degree of flexibility when it comes to the above-mentioned categories. In particular, various amendments allow a change in the muscle ratio, considering the advance in breeding techniques, and the use of nitrates.

Amendments to the method of production

This section identifies and analyses the following categories: 'transport, storage and slaughter', 'preparation of the meat', 'salting', 'drying and ageing', and the 'material' used in various phases of production (such as wood used in the smoking process).

The majority of the amendments regarding the method of production for PDOs provide some flexibility to producers. For example, the sub-category 'transport, storage and slaughter' gives flexibility regarding the minimum time that meat has to stay at the slaughterhouse before slaughter. The amendments contained in the sub-category 'material' allow the introduction of non-traditional material in the process of production, to better reflect current market conditions.

Similarly, PGIs provide a certain degree of flexibility to producers. For example, some amendments allow the use of machines in the salting process, together with the traditional hand-made process. Tradition is partly overcome also in the sub-category 'material', which allows the use of non-traditional wood in the smoking process and the adoption of a synthetic type of casing.

Interpretation of results

References to 'tradition' and 'innovation' appear in almost every amendment. This shows how these two concepts are deeply intertwined, advocating in favour of a dynamic notion of tradition, as suggested by the academic literature. Tradition appears more often as a reason for the amendment of product specifications for PDOs rather than for PGIs, in particular when it comes to the method of production. On the contrary, innovation often appears for both PDOs and PGIs. Sometimes tradition and innovation coexist within the same product, as reasons for different amendments.[4]

The analysis of the above-mentioned categories shows that PDOs seem to balance the broad exception of the origin of raw materials provided by Art. 5(3) Regulation 1151/2012 with the adoption of stricter requirements for the characteristics and use of raw materials, in particular 'feed', 'characteristics of the meat', and 'weight and age' of the animal. Conversely, PGIs tend to amend the same categories by allowing more flexibility.

As regards the method of production, both PDOs and PGIs tend to provide more flexibility to producers. In other words, the amendments to the method of production do not seem to be influenced by the specific quality scheme chosen.

The reasons for the amendments, published in the EU database together with the amendment, provide a better understanding of the results of the qualitative analysis. As regards raw materials, PDOs tend to amend them in line with traditional practices, improving the quality of the final product, and complying with both national and EU legal provisions. As regards PGIs, producers' interest is to adapt to the changes in raw materials and to adhere to common practices, sometimes without specifying whether these are traditional practices that have not been codified in the previous version of the specifications or whether these are innovations commonly adopted by the majority of producers, and market needs.

As to the method of production, both PDO and PGI producers are interested in achieving more flexibility to adapt their products to a new market and consumers' needs, modern practices of production, and new food safety standards.

The results of this research show that PDOs and PGIs do not have a significant impact on the amendment of the link to origin for processed meat products, except for the origin/production of raw materials. Here a correlation has been found, showing that PDOs are more conservative than PGIs, reducing the range of options available to producers.

Further research is required to prove whether these results can be verified also for other categories of products, in particular those that do not benefit from the exception of Art. 5(3) Regulation 1151/2012.

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[4] Capocollo di Calabria PDO [2015] OJ C82/12, n.3. The curing time is increased to comply with traditional processing methods but, at the same time, producers are entitled to use elastic twine instead of natural ones.

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Empirical Investigation of Fraud and Unfair Competition Practices in France and Vietnam: Actors, Types and Drivers

Pick B.[1]

Abstract **– The primary function of GIs is to protect the consumers and producers' interests against fraud and unfair competition practices. This paper investigates the actors, types and drivers of fraud and unfair competition practices in five case studies in France and Vietnam. It shows how fraud practices may derive from both inside and outside the GI system. Within the GI system, many reasons may contribute to fraud practices, including low awareness, conflict or misunderstanding among GI stakeholders, as well as the lack of transparent and efficient quality controls. Outside the GI system, fraud and unfair business practices primarily stem from the commercial success of origin names.**
Keywords **– Fraud; Unfair competition; Enforcement; Vietnam; France; Empirical research.**

Introduction

Referred to as the 'institutionalisation of reputation' (Belletti, 2000, 239), geographical indications (GIs) primarily aim to protect the consumers and producers' interests against fraud and unfair competition practices by preventing name usurpation and diversion of income (Bramley and others, 2009). The producers' goodwill and the brand's reputation constitute the underlying 'valuable intangible that is being protected' (Gangjee, 2012, 145) against free-rider competitors. The role of GIs in preventing name usurpation has become increasingly important considering the growing number of instances of misappropriation of origin names. For instance, it is estimated that the usurpation of the name 'Karoo lamb' (from South Africa) is commonplace (Biénabe and others, 2011) and that about forty million kilograms of tea are sold worldwide as Darjeeling tea every year, while the production of genuine Darjeeling tea is only ten million kilograms (Das, 2006). Unfair business practices, which stem from the commercial success of origin names, result in loss of revenue for the genuine producers while misleading consumers in their purchasing decisions (Das, 2009).
This paper explores the following questions: Who are the actors involved in fraud practices? What are their drivers? And are there different types of frauds?

Methodology

Using a qualitative methodology, this paper investigates fraud and unfair competition practices in five case studies in France and Vietnam. These are: Star anise from Lang Son (GI, 2007); Sticky rice from Dong Trieu (origin collective mark, 2013); Conical hats from Hue (GI, 2010); Pélardon cheese (PDO, 2001); and Bouchot mussels from Mont-St-Michel Bay (PDO, 2011). Primary data were collected through semi-structured interviews that were conducted in France and Vietnam in 2014 and by telephone and emails in 2017-2020. Secondary data were generated through desk study of legal texts, product specifications and evaluation reports.

Results

Fraud and unfair competition practices were found in all our case studies across the two countries at different times (pre- and/or post-registration). Before the GI registration, these practices are observed in the French case studies as well as, in Vietnam, for fried calamari from Hạ Long. These products share the common characteristic to have established a strong reputation on the market before the GI registration with their name being increasingly used by actors outside the area of origin. For instance, the name 'Fried calamari from Hạ Long' was being used on products that came from the neighbouring Quang Yên District. Similarly, it was found in the 1980s that the name 'Pélardon' was being used on goat cheeses produced in Spain where production costs were lower, which resulted in cheeses sold as 'Pélardon' with rock-bottom prices. Likewise, 20,000-30,000 tonnes of mussels were sold every year under the name 'Mont Saint-Michel' while only 10,000-12,000 tonnes were - and still are - grown in the area. For these products, the legal protection of the name primarily aimed to protect producers and consumers' interests against the misuse of the name. The protection also entailed, at least in France where the bottom-up approach to GIs provides a key role to producers, the active involvement of local actors in the elaboration of the product specifications and the establishment of strong quality control mechanisms (Pick and Marie-Vivien, 2021).
After the GI registration, fraud and unfair competition are mainly observed in Vietnam who has adopted a top-down approach to GIs in which GI initiatives are usually designed by external consultants and managed by state authorities. Some producers of fried calamari from Hạ Long were found to use more flour and less calamari than prescribed by the product specifications, and several rice farmers in Đông Triều were reported to mix sticky rice with normal rice

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which is easier and less costly to grow, without subsequent adequate controls from the authorities. If fraudulent practices primarily aim to reduce production costs, they may also stem from a disagreement with the requirements of the product specifications. For instance, in the case of conical hats from Huế, the producers' association sought to sell all types of conical hats with the GI logo because it actively supports its use on all categories of hats, in disagreement with the local authority who registered the GI for a specific type of hats. Fraud practices may also derive from a misunderstanding as per the meaning and function of a GI, as with star anise from Lạng Sơn. In this initiative, the GI logo was found on the packaging of both star anise and other products, like cinnamon. The company admitted using the GI logo to signal the commercial origin of its products, as if the GI were its private trade or commercial name. Finally, corruption and non-transparent practices by the very ones in charge of the quality controls have been reported in Vietnam, which contributes to the general inefficiency of the quality controls.

DISCUSSION

Our findings show the variety of actors, types and causes of fraud practices. Before the GI registration, fraud and unfair competition practices are usually carried out by external actors who seek to free-ride on the products' reputation in relation to greater market access and possible price premiums, as often the case with French products. By contrast, most Vietnamese products do not have an established reputation on the market, with a few notable exceptions like Phu Quoc fish sauce and fried calamari from Hạ Long whose reputation has benefited from the prestige of the nearby Hạ Long Bay, a UNESCO World Heritage Site. In all these instances, it is the perception of a common risk derived from free-riding on the reputation of the name that led local actors to seek a GI protection.

After the GI registration, fraud practices are found primarily in Vietnam and show the involvement of actors from inside the GI system. While these practices stem from various reasons, including low awareness, economic interests, conflict or misunderstanding among GI stakeholders, they point to the shortcomings of the Vietnamese top-down approach to GIs which has generally translated in little understanding, adhesion and commitment of local actors (Pick and Marie-Vivien, 2021).

Importantly, fraud practices highlight the inefficiency or lack of quality controls in Vietnam, as has been observed in other emerging and developing countries (Marie-Vivien and Biénabe, 2017). By contrast to France where the establishment of quality control mechanisms based upon the product specifications is a prerequisite for the recognition of GIs, GI applications in Vietnam must include information on self-control mechanisms only. The law does not require the elaboration of internal and external control plans. This significant legal loophole contributes to explaining the inconsistent, inefficient, non-transparent or even non-existent external quality controls and lack of consistency between internal and external controls. Besides, unlike in France where the GI producer groups can choose the certification body in charge of the external quality controls, in Vietnam the law provides for a state management of external quality controls. The high number of state agencies involved in external quality controls with unclear, undefined or redundant functions poses problems of efficiency and coordination which are undermined by the poor institutional quality and non-transparent practices.

In conclusion, fraud and unfair competition practices may derive from both inside and outside the GI system for various reasons. Before the GI registration, outside actors may free-ride on the reputation of the products and the commercial success of the origin names. After the GI registration, these practices may be conducted by inside actors in contexts where the post-registration stage is not adequately organised at both the regulatory and practical levels and where the over-involvement of the state impacts negatively on the producers' understanding and adherence to the GI initiatives while creating opportunities for non-transparent practices.

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A Model of Geographical Indication's Product Specification for ASEAN Countries

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Abstract

Until present, member countries of the Association of Southeast Asian Nations (ASEAN) have different legal means to protect Geographical Indications (GIs) in their national levels. The difference is derived from the flexible legal means requirement in article 22 of TRIPS Agreement. Interestingly, IP cooperation between ASEAN members has led to a share interest of having similar standards of GI product specification.

Using descriptive juridical method and comparison study to analyze the qualitative data obtained from desk and virtual research, this paper explores a model of single standard GI Product Specification that can be applied in the different legal contexts of ASEAN member countries.

Key words: model, Product Specification, Geographical Indication, ASEAN countries

INTRODUCTION

LEGAL MEANS TO PROTECT GI IN ASEAN COUNTRIES

Until present, ten member countries of the Association of Southeast Asian Nations (ASEAN) have different legal means to protect Geographical Indications (GIs) in their national levels. They have actually been members of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs Agreement), so they are obligated to fully comply with the content of TRIPs Agreement (TRIPs system) as the minimum standard protection in their domestic legal systems, including the provisions about Geographical Indications (GIs). So far, only two of them have also ratified Geneva Act of the Lisbon Agreement (Lisbon system) and got obligation to harmonize their national GI protections according to TRIPs and Lisbon systems.

THE IMPORTANCE OF GI PRODUCT SPECIFICATION

Under the system of the Geneva Act's Appellation of Origins (AO) and GI, Product Specification is important, because it provides a clear guidance to control the quality and characteristics of the goods those are exclusively or essentially connecting the protected goods with their geographical origins.

Product Specification is not literally required by TRIPs Agreement's GI protection. However, in practice, a Product Specification is a precondition to ensure that an object meets all requirements to obtain the protection. Furthermore, it also provides a clear guidance to implement, maintain and defend the protected right.

GI Product Specification is important because of several reasons (EUIPO et.al., 2020). *First*, in many countries, it is a substantial requirement for GI registration. *Second*, It forms a legal basis to grant an exclusive right to use a GI. *Third*, it also establishes the geographical originality of the product: the causal link between the GI product and its geographical origin. *Fourth*, it forms a legally binding contract that guides all members of the CMO-GI to conduct the production process and quality control on the products. *Fifth*, it provides the consumers with a solid guarantee regarding the GI product's reputation, quality and/or characteristic, and if applicable, the sustainability of the product's geographical environment.

GI Product Specification also ascertains that a Collective Management Organization on Geographical Indication (CMO-GI) or a producer association is the legal holders of an exclusive right to use a GI. The collective/communal holders can consist of: local producers and/or processors, local or traditional farmers or breeders, local operators, landowners, indigenous community, a tribe or a clan, a group of local artists, or a group of local traders. In several countries, the CMO-GI can also consist of a local government on behalf of the producer associations living in the related area, or even a state on behalf of the producer associations in the territory/ies of the state.

GI PRODUCT SPECIFICATIONS IN ASEAN COUNTRIES

ASEAN member countries have various legal means to protect GI and forms of GI Product Specifications (EUIPO et al., 2019; ASEAN Sec., 2020).

In **Brunei Darussalam**, there is no specific form of GI Product Specification. It is because GI in Brunei Darussalam is protected under the general Trademarks protection system, especially Collective Marks, and the protection against unfair competition in business practices, especially Certification Marks.

In the **Philippines**, similarly with Brunei Darussalam, GI is protected under the general Trademarks protection system. It is based on the Trademarks Law and the Intellectual Property Code of the Philippines (IP Code) [Republic Act No. 8292, as amended].

GI in **Cambodia** is protected by Law on GI, Declaration of Procedures for Registration and Protection of GI (December 23, 2016), and Geneva Act of the Lisbon Agreement. Elements of GI specification in Cambodia includes: name, type, and GI label, main characteristics/features, production process, geographical area, link between a product and its geographical territory including its history, process of quality control, controlling body and competent authority, and the members of GI right holders.

GI in **Indonesia** is protected by Law on Trademarks and GI 20/2016, Government Regulation 51/2007, and the Minister of Justice and Human Rights Regulation 12/2019. Elements of GI specification in Indonesia includes: name of GI, name of the protected good/product, the GI label, characteristic and quality of the good/product, link between the good/product and its geographical environment (natural and/or human factor/s, including history and tradition of the GI

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usage), production process, method of quality control, GI map, and GI right holders.

GI in **Thailand** is protected by GI Protection Act B.E. 2546. Elements of GI specification in Thailand includes: photograph of GI product, description of the production process, GI label, GI map indicating the scope of the geographical area, description about linkage between the product and the geographical origin by explaining the geographical environment of the origin, description about quality, reputation, properties or other characteristic of the product, and document indicating that the product does originate from the specific geographical area.

GI in **Lao PDR** is protected by Law on IP No.01/NA (20 December 2011), Decision of the Minister of Science and Technology on the Implementation of GI under the Law on IP No. 1119 (25 October 2016), Paris Convention, TRIPS Agreement, Geneva Act of the Lisbon Agreement. Elements of a Book of GI Specifications in Lao PDR are: a specific geographical area of production, the conditions of the product, the process of quality control, especially internal controls, the list of the GI producers and operators, and the rules pertaining the controlling targets as well as the internal regulation of the right-holders association.

GI in **Myanmar** is protected by Trademarks Law (2019) and Pyidaungsu Hlattaw Law No. 3 (30 January 2019) on Trademarks and GI Law. Elements of GI Specification in Myanmar: name, nationality and address of the applicant organization, GI name, the region of GI production, description of the products to which the GI applies, significant features, quality, or reputation of the GI product under the relevant GI, and the link between the features, quality or reputation of the product and its place of origin.

GI in **Malaysia** is protected by the GI Act 2000. Elements of GI specification in Malaysia includes: geographical area consisting the demarcation map, including the proof of origin, the class of the goods, description of the product, quality, reputation or other characteristic of the goods, causal link between the geographical area and the quality, reputation or other characteristic of the good, specific steps in production that must take place in the identified geographical area, and the facultative elements which include: description of labelling, award/recognition from authorized body, or an inspection body/authority authorized in verifying compliance.

GI in **Singapore** is protected by GI Act 2014, GI Rules 2019 and Trademarks Act (Cap. 332). Elements of GI Specification in Singapore are: category of the goods, geographical area, description of goods to which the GI applies, particular characteristics differs from other goods of the same category, and quality, reputation, or other characteristics essentially attributable to the geographical origin. These could relate to natural and/or human factors, or the reputation of the good that is essentially attributable to the place of origin.

GI in **Vietnam** is protected by Civil Code 2005, Criminal Code 2015, IP Law 2005, Decrees, Circular, Joint Circulars, and IP international legal instruments, notably: Paris Convention, TRIPS Agreement, international regional and bilateral agreements, and memorandums of cooperation related to GI. Elements of GI Specification in Vietnam are: GI name, description of GI product, natural and human factors decisive to the reputation, quality and characteristics of the product, link between the characteristics and quality, or reputation of the product, and the geographical condition, depiction of the GI area in words and map, determined by a justified method, proof that the product originates from such geographical area, proof that a GI has been protected in the country of origin (foreign GI), description of a local and stable method of production and the mechanism of self-control on the characteristics and/or quality of the product.

Shared Main Elements as the Bases of GIs Product Specification for ASEAN Countries

Based on similarities and differences of GI Product Specifications in ASEAN countries, the share main elements can be used as the basis of a model of GI Product Specification for ASEAN member countries.

Shared aspects on the GI Product Specification in ASEAN member countries include:

- Identity that includes a GI Name and GI logo, a type of GI product, the GI collective management organization (CMO) or producer association, and the country of origin.
- Territory includes GI map depicting the geographical area where the GI product is produced
- Reputation, quality, characteristic includes reputation, quality and/or characteristic/s caused by the GI geographical environment.
- Link includes Causal link between the GI product with its geographical environment, including natural and/or human factor/s.
- Control of compliance includes the method, subject, and object of the control. It also includes the frequency, intensity, and the sanction.

A model of GI Product Specification would be best formed according to the shared aspects of GIs Product Specifications in ASEAN countries as minimum standards.

Regarding ASEAN countries whose GIs' objects are protected by Collective Marks or Certification Marks, GI Product specification can be used as an additional compulsory/facultative document in the application of the related marks. It should mainly substantiate the reputation of the product as a secondary significance, so the GI logo that is regarded as a descriptive mark can get a strong capability to distinguish through use.

Concluding Remarks

A model of GIs Product Specification for ASEAN Member Countries would make GI registrations between ASEAN members easier, because even though the national legal means of GI protection may vary, the substantive protected elements in the GI product specifications would be similar or even the same. It will also smoothen the cooperation to protect GI within the countries.

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D.1 Gouvernance des organisations de producteurs, coordination horizontale, capital social, etc.

Forces et faiblesses dans la gouvernance des Indications Géographiques (IG) à Bahia et des IG des Farines de Manioc du Brésil

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Résumé - La bonne gouvernance d'un réseau de parties prenantes impliquées dans les indications géographiques (IG) est un élément essentiel de leur réussite. Cet étude propose une analyse des forces et faiblesses de ces dispositifs de gouvernance des IG à partir des cas particuliers de l'état de Bahia et des IG de farine de manioc brésiliennes au Nord du Brésil et au *recôncavo* bahianais.
La gouvernance des IG est souvent l'aboutissement d'un travail en réseau impliquant des agriculteurs familiaux ou producteurs, des institutions d'enseignement et de recherche, des dispositifs d'extension rurale et d'organisations étatiques.
L'étude examine la relation entre les organisations des producteurs avec ce réseau de soutien des IG dans les chaînes de production du Littoral Sud de cacao, du Café de l'Ouest, de la cachaça Abaíra et du projet d'IG farine de manioc Copioba, à Bahia. En outre, elle couvre les IG accordées pour les farines de manioc de la région Nord du Brésil (IG Cruzeiro do Sul, IG Uarini, IG Bragança), en observant les facteurs de succès et les défis auxquels ces IG sont confrontées après leur obtention. Ce travail intègre une recherche doctorale et un projet d'extension mené à l'Université fédérale de Bahia.

Mots clés - Organisation sociale, Gouvernance, Réseau.

Introduction

Cet article cherche à observer dans un premier temps les différentes expériences d'Indications Géographiques bahianaises et à observer la bonne gouvernance comme facteurs de succès ou de difficulté, dans lesquels ils se ressemblent et dans lesquels les processus diffèrent; dans un deuxième temps nous observerons les Indications Géographiques de la farine de manioc du Nord du Brésil, et le projet de farine de manioc d'IG Copioba et de procéder des IGs de la farine sous l'angle de la gouvernance territoriale. La bonne gouvernance d'un réseau multi-acteur impliqué dans l'IG est un élément essentiel du succès de l'IG qui sera un fil conducteur des analyses proposées ici. Au Brésil, la gouvernance d'une Indication Géographique est mise en place par l'institution qui en est détentrice et intègre d'autres institutions qui soutiennent la démarche du territoire d'origine. De la sorte qu'il s'établit un réseau de soutien à l'IG.

Methodologie

Ce travail est l'aboutissement des longues périodes de recherche de terrain au Brésil entre 2018 et 2021. Nous privilégions des enquêtes ethnographiques, des interviews individuelles auprès des divers acteurs impliqués dans les chaînes productrices. (BEAUD, 2003). L'objectif a été d'observer les relations entre les divers acteurs (Instituts de recherche, syndicats, associations, etc.) et leur cohésion sur le territoire comme facteur de développement positif d'une IG, ou à défaut de leur fragilité.

Les IG Bahianaises

L'IG de la cachaça d'Abaíra obtenue en 2014 provient d'une organisation de producteurs plus ancienne. L'association a été fondée en 1996 avec des agriculteurs familiaux et l'objectif initial était de correspondre à la législation sur les spiritueux du ministère de l'agriculture et du fisc fédéral pour ainsi faire face collectivement à l'adéquation des alambics. On voit ici que la culture organisationnelle de ces producteurs est bien ancienne et ils sont parvenus à une organisation pour mieux structurer leur processus productif ensemble. L'IG Abaíra possède 6 organisations dans le réseau de soutien de l'IG, 144 producteurs qui commercialisent en utilisant l'IG et 1150 producteurs dans la région de l'IG qui n'ont pas le label IG, on note aussi que dans cette IG on fait aussi la gestion dans l'association APAMA avec une commercialisation dirigée par la coopérative COOPAMA, également responsable de l'embouteillage et de l'étiquetage des bouteilles de cachaça.
L'IG de Bahia du Sud obtenue en 2018 provient d'une région où les producteurs sont plus organisés et mobilisés par la question de la production de cacao de Bahia. La première est une organisation étatique centralisée liée au ministère de l'agriculture et créée en 1957 la Commission exécutive du plan de culture du cacao (CEPLAC). Depuis 2001, elle bénéficie de la présence de l'Association des producteurs de cacao (APC) qui a lancé les débats sur le thème de l'IG pour la région cacaoyère en 2010. L'IG du cacao émerge comme un choix collectif de stratégie de développement régional et de renforcement et de verticalisation de la production de cacao et de chocolat dans la région. Elle est une grande IG géographiquement et bien structurée, par le réseau de gouvernance fédéré composé de 14 coopératives et 6 associations membres de l'Association Cacau Sul Bahia ajoutant 3470 producteurs associés (et 30.000 producteurs

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dans la région en dehors de l'IG), et 178 producteurs en usage de l'IG commercialisant du cacao sécurisé par l'identité territoriale. Le réseau de soutien de l'IG Sud de Bahia était composé de 32 organisations au moment de sa demande : la façon dont ces organisations assument un rôle important dans la gestion et l'action pour le développement est d'une importance fondamentale, SEBRAE (*Serviço de Apoio às Micro e Pequenas Empresas*, service de soutien aux micro et petites entreprises) a dirigé le réseau pendant deux ans et a défini une planification stratégique avec le rôle de chaque institution qui a abouti à la création d'une université supérieure et des cours techniques dans le cacao et le chocolat par les institutions d'enseignement et de recherche, ce fut un facteur majeur de succès du réseau en optimisant les actions et en minimisant la répétition du travail, en 2021 ce nombre d'organisations associées au réseau de gouvernance de l'IG du cacao et du chocolat de qualité de Bahia couvre entre 40 et 50 organisations.

L'IG Ouest de Bahia obtenue en 2019, quant à elle, est une IG qui provient de l'agrobusiness et des grands producteurs (grandes propriétés et capital disponible pour l'investissement), qui se sont organisés grâce à la haute technologie pour produire dans une région aride grâce à une irrigation planifiée et qui ont cherché ensemble des stratégies pour valoriser cette production de qualité supérieure. Il n'y avait que 20 agriculteurs qui se sont réunis en 2013 pour organiser la chaîne dans la région occidentale (ils ne sont plus que 16 actuellement). La vocation de la production est principalement l'exportation de "grains verts" de café, après l'acquisition de l'IG, celle-ci est mentionnée dans les contrats de commercialisation, sans qu'il y ait une utilisation effective de celle-ci (démonstration de la qualification géographique visuellement sur les emballages, les étiquettes ou les contrats de commercialisation - il est prévu qu'elle commence à être utilisée tout au long de l'année 2022 par 2 agriculteurs). L'impact le plus important de l'IG, outre l'organisation collective de la filière, a été l'amélioration de la qualité de vie des travailleurs ruraux dans la culture du café (meilleurs salaires selon la législation du travail brésilienne - Consolidation des lois du travail ; chambres à coucher adéquates selon la législation, alimentation et conditions de transport adéquates). Dans le cas de l'IG Ouest de Bahia, il y a 7 organisations dans le réseau de soutien de l'IG, 16 membres sur l'IG en 2021, associés à l'Association ABACAFE et à la Coopérative COOPROESTE, qui travaillent ensemble de manière intégrée, l'association gérant la qualité du produit et la coopérative le commercialisant.

Les IG de Farine de Manioc

Les IG de farine de manioc du nord du Brésil (Cruzeiro do Sul, Uarini et Bragança) partagent des trajectoires où elles sont beaucoup supportées par des institutions publiques telles que l'EMBRAPA et le SEBRAE. Elles ont en commun le fait que les agriculteurs soient plus démunis (scolairement et avec des organisation plus neuves et fragiles en matière des ressources humaines) et de ce fait reposent beaucoup sur les institutions d'appui du réseau (secrétariat des villes, EMATER, SEBRAE). Aucune d'entre elles commercialise encore leur farine sur le label d'IG car elles traversent une période d'adéquation des agriculteurs au cahier des charges des IG en matière d'hygiène des aliments des maisons de farine. Le projet d'IG Copioba quant à lui traverse une période d'organisation préliminaire à la demande de l'IG, à savoir le choix de l'institution qui la sollicitera, mais partage avec les premières IG de farine de manioc du Brésil la même fragilité d'avoir des agriculteurs faiblement scolarisés et peu autonomes dans la gestion de leur organisation qui se repose beaucoup sur les secrétariat des villes ainsi que sur l'Université Fédérale de Bahia.

Sur cette tutelle des producteurs de farine de manioc dans la gestion de leurs organisation un gestionnaire du SEBRAE- Amazonie dit « Ce n'est pas si facile…, comme s'ils restaient sur le banc de touche assistant à ce qui va arriver, si on a du succès tout le monde embarque, n'est-ce pas? ... c'est une culture et il y a plusieurs aspects, qui est la question politique, les politiciens dans les municipalités nous encouragent historiquement à être dépendants d'eux et à ne pas réussir, par nos propres efforts, par nos propres articulations. Donc, ça n'a jamais marché, l'association n'a pas pu se lancer, elle n'a pas pu lever des fonds, elle n'a pas pu rendre des comptes, elle s'est endettée et puis... voilà quelque chose que tout le monde savait déjà. En quelque sorte c'est historique. Nous avons donc peu d'associations qui ont réussi et que nous pouvons examiner (...). Mais si les institutions n'ont pas été assez proches pour leur prendre par la main et faire cette responsabilisation, ce n'est pas par mauvaise foi, c'est parce qu'elles n'ont pas la pratique et le faible niveau d'éducation a un gros impact là-dessus. C'est presque comme être sous tutelle, vous savez, on en a beaucoup besoin, c'est pour ça que c'est un mélange, les gens qui regardent de l'extérieur disent : bon sang, mais c'est pas l'institution qui devrait faire l'invitation, ça devrait être les agriculteurs. Mais s'ils ne le font pas, ça ne se fera pas. Ceux qui sont à l'extérieur ne comprennent pas parfois : mais SEBRAE est toujours en train de nous gérer en tutelle... En fait, non, si on s'arrête, si on lâche prise, c'est tellement ténu que ça va s'effondrer. C'est pourquoi nous avons encore besoin d'une impulsion, avec beaucoup d'efforts, nous soutenir et faire attention à ne pas les laisser sous notre aile pour qu'ils puissent marcher avec leurs propres jambes. ». Outre le fait que la farine de manioc soit un produit plus populaire le fait que les agriculteurs soient moins organisés au départ autour de leurs interets, le fait que les réseaux de soutien à la manioculture aient moins d'acteurs sur le territoire represente une faiblesse pour ces IG.

La filière du manioc nécessite des politiques publiques plus stables et d'une présence constante des facilitateurs du réseau. Contrairement à la cachaça ou au cacao ou le café où des organisations fonctionnent beaucoup plus par elles-mêmes.

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Les effets d'une IG au niveau économique, social, environnemental, culturel. Témoignage autour du fromage *Bouhezza*, Unique fromage affiné traditionnel d'Algérie

First A . MESSAILI Samir [1*] , Second A . MAZOUZ Kheiredine [1]

Résumé -

- **Ce travail a pour objectif de mettre en évidence les effets de la reconnaissance de la qualité du fromage BOUHEZZA en IG (dans le cadre du système Algérien de reconnaissance de la qualité des produits agricoles ou d'origine agricole), sur le groupe demandeur (membres de l'association de producteurs). Tout au long du processus d'obtention et après acquisition de l'IG, on a constaté, plusieurs changements touchant à la fois le fromage labélisé et aussi notre groupe. Par rapport au fromage, une nette amélioration de la valeur marchande a été noté ; qui est directement liées à la demande du produit, des volumes commercialisés et de sa notoriété. Pour exemple, le prix du fromage a augmenté (+2 7 fois) ainsi que les volumes commercialisés. Les changements sur le groupe demandeur sont d'ordre individuel et collectif, par rapport au professionnalisme et compétences des artisans, et à la notoriété de l'association. Le produit et le groupe demandeur ont gagnés ensemble en notoriété (appels à témoignage, animation de formations…).**
- **Les résultats de ce modeste travail confirment que les retombées de la labellisation (récente) du fromage *Bouhezza* sont palpables sur le groupe demandeur et sur son environnement.**

Mots clés: fromage *BOUEZZA*, association *IMESSENDA*, effets, IG, Algérie.

Introduction

La reconnaissance de la qualité des produits agricoles ou d'origine agricole par l'acquisition des signes distinctifs de qualité (labellisation) est un processus récent en Algérie. Trois produits sont à ce jour reconnus en IG par le ministère de l'agriculture (Deglet Nour de Tolga et la figue sèche de Béni Maouche en 2016, et le fromage *BOUHEZZA* en 2020) et beaucoup d'autres sont en cours d'identification ou de construction de dossiers (olive de table de Sig, oignon blanc d'Oulhassa, clémentine de Méserghine…).

L'association *IMESSENDA*, a obtenu la reconnaissance du fromage *BOUHEZZA* en IG le 30/08/2020 après six années d'organisation des porteurs du projet et de construction du dossier en partenariat avec l'université des frères Mantouri à Constantine (INATAA)

First A. Membre fondateur de l'association *IMESSENDA* pour la promotion et la protection de la dénomination fromage *BOUHEZZA* d'Oum El Bouaghi. Algérie (samirmessaili25@gmail.com).
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A ce jour, aucune étude n'a été menée en Algérie sur les effets des IG, à court ou long terme, ce qui limite la disponibilité de données.

Cette étude tentera de répondre à plusieurs questions liées aux effets de l'acquisition de l'IG fromage *BOUHEZZA*, notamment, ceux en relation avec les aspects économique, social, culturel et environnemental.

Matériel et méthodes

Cette étude a été réalisée auprès des membres de l'association *IMESSENDA* (artisans fromagers) durant le mois de décembre 2021 à Oum El Bouaghi. La méthode adoptée est le « focus groupe » par questionnement. Le panel est un groupe homogène de dix personnes de différentes localités de l'aire géographique du fromage. Lors de l'entretien semi directif, le panel a répondu à une série de questions préalablement consignées dans un « guide d'entretien ».

- **Déroulement du focus groupe** :

1. Installation, présentation et introduction.
2. Guide d'entretien
3. Animation, relance et modération des débats.
4- Établissement de la fiche de groupe
5- Analyse des résultats

- **Guide d'entretien** :

Thèmes	Questions
1- Acquisition du signe de qualité IG du fromage *BOUHEZZA*	- est ce que vous êtes satisfait de l'acquisition de l'IG ? - est ce que c'était facile ? - si c'était à refaire, le feriez-vous ?
2- L'association *IMESSENDA*, du porteur de projet de demande de l'IG, au groupement de gestion du signe	- comment appréhendez-vous ce changement de missions ? - êtes-vous capables de gérer cette mission ?
3- Commercialisation du fromage *BOUHEZZA* et autres produits dérivés.	- est-ce que le prix de votre fromage a augmenté ? - est ce que la demande a augmenté ? - est ce que vous avez acquis de nouveaux clients ? - est ce que vous envisagez plus d'investissements ?
4- IG du fromage *BOUHEZZA*, statut social et promotion culturelle	- sentez-vous un changement dans l'appréciation de votre entourage pour ce que vous faites ? - sentez-vous une appropriation identitaire de votre entourage pour ce que vous avez réussi à faire ?
5- Environnement et développement durable	- est ce que vous êtes plus sensibles aux questions environnementales et de développement durable ? pourquoi ?

Résultats et discussions

Réponses	Développement
- satisfaction personnelle et collective 100% - c'était difficile et très technique. - Oui.	L'acquisition du signe de qualité IG du fromage *Bouhezza* est un processus long, technique et couteux, mais la satisfaction de la réussite prime sur tout.
- Avec inquiétude, vu le manque de formation. - Avec de l'assistance et de l'apprentissage, car c'est une nécessité pour la protection et la durabilité du label.	Le groupe a une grande appréhension de ce sujet, car tous les artisans producteurs ont exprimé le besoin d'assistance externe qui s'est fait sentir tout au long du débat.
- Le prix du fromage Bouhezza a augmenté (de plus 2,7 fois en moyenne : de 400 à 500 DZA à 1000 à 1500 DZA/kg). - La demande a augmenté (pour certains producteurs, les quantités produites sont passées de 0.8 qx à 2.5 qx/mois). - De nouveaux clients et de nouveaux territoires sont acquis progressivement (surtout les wilayas qui découvrent le produit). - L'investissement est indispensable (infrastructures, packaging, formation)	Il est incontestable que l'acquisition de l'IG pour le fromage *Bouhezza* et la médiatisation qui l'a accompagné, profite au groupe et, a une répercussion directe sur le prix, les volumes et le marché du produit. Sur ces aspects, le groupe est unanime. Des projets d'investissements (personnels ou collectifs) sont en cours d'étude.
- Constat collectif positif sur le statut social acquis auprès de l'entourage (estime, encouragements...) - L'appropriation de la réussite, la mise en avant du produit et de la région sont visibles surtout lors d'événements culturels.	Le groupe est unanimement d'accord sur le fait que l'IG a amélioré le statut social personnel et collectif et que beaucoup d'activités et d'événements culturels considèrent et associent le fromage *Bouhezza* et sa reconnaissance lors de manifestations thématiques locales et nationales.
- Les membres du groupe sont majoritairement plus sensibles à la préservation de l'environnement et à l'utilisation rationnelle des ressources naturelles.	La rigueur des cahiers des charges et les contraintes des contrôles internes et externes et le souci du choix des matières premières et de leurs traçabilités et durabilité, forgent un caractère soucieux et protecteur de l'environnement.

Une fiche de groupe synthétisant tout le travail a été réalisé après clôture du « focus groupe » et a permis de conclure ce qui suit.

Conclusion

L'étude a permis de répondre aux questions que nous nous sommes posées sur les effets de l'acquisition de l'IG du fromage *BOUHEZZA*. Les retombées financières (augmentation du prix du fromage de près de trois fois ; augmentation des volumes commercialisés et du nombre de clients et acquisition de nouveaux territoires) sont confirmées, le besoin d'investir pour mieux travailler est confirmé. L'appropriation par la population de la région de la reconnaissance du fromage *BOUHEZZA* sous IG et le statut attribué au fromage et à l'association sont confirmés, ils sont mis en avant lors de toutes manifestations thématiques (économique, culturelle, scientifique…). Les membres de l'association sont plus sensibles aux problèmes environnementaux et aux notions du développement durable. Le processus de labellisation étant récent en Algérie, des études plus approfondies doivent être menées par les chercheurs sur la labellisation et ses effets à court, moyen et long terme.

RECONNAISSANCE

Nous tenons à remercier les organisateurs de la conférence « Worldwide Perspectives on Geographical Indications » Montpellier, France du 05 au 08 juillet 2022 pour leur soutien. Nous remercions vivement la contribution de l'équipe de recherche TEPA du Professeur ZIDOUNE M. N. de l'université de Constantine 1.

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Internal Structure and Equity of Collective Management Organizations for GIs in France

Chris J. Bardenhagen, Philip H. Howard, Marie-Odile Nozières-Petit, Loïc Sauvée[1]

***Abstract* – In France, Geographical Indications (GIs) and other quality signs such as Label Rouge and Spécialité Traditionelle Garantie are collectively managed using organizations called *organismes de défense et de gestion* (ODGs), which are one form of a quality group (QG). The internal structures of ODGs can vary greatly –– some have only one class of members (farmers,) while others have several classes or colleges comprised of different types of operators in the value chain (downstream, upstream.) French statutes and regulations provide a basic platform and some common rules for ODGs, but a high degree of flexibility and deference is given to groups to structure their organization in a way that matches their needs. For this research, we studied the structure of 12 French ODGs in order to investigate the different ways that collective management organizations can be organized across different product types, volumes, farm and value chain characteristics. Our study pays special attention to the place of the farmer –– their equity within the value chain vis-à-vis other value chain operators (*pouvoir de decision.)* Using in-depth interviews and document analysis of groups' statutes, we analysed ODGs' democratic structure, as well as their delegation of management: which decisions are made by the general assembly (*Assemblée Générale,)* which by the board of directors *(Conseil d'Administration,)* which by paid managers, and which by the operators themselves. From the results, we developed a typology to apply to other ODGs and to collective management bodies for GIs elsewhere in the world, detailing the farmer voice and relative equity among the operators for each type. Here we present this typology and discuss the main factors that can lead to differences in structure.[1]**

***Keywords* – quality groups, value chains, geographical indications**

Introduction

Collective management bodies used to develop and manage GIs and other quality signs are central to quality label efforts. GIs can be a bottom-up form of rural development (Owen et al., 2020), but ongoing research seeks to discover institutional supports that will help ensure equitable outcomes for farmers so that existing power inequities do not get repeated or amplified within a GI (Marie-Vivien et al., 2019). In this study, we investigate how farmers fit within the internal decision-making and management structure of QGs, and we identify the factors that can lead to differences in farmer's decision-making power. This knowledge may be of use to practitioners who provide advice to groups during the QG development process. Could guidance towards farmer-friendly structures lead to palpable results for agricultural development, sectoral and territorial?

Methods and analysis

This research followed a case study approach. France was selected as the site and context due to its strength of quality sign programming, legal platform, and government support provided to ODGs by regional agents. We worked to identify a variety of cases across a spectrum of different products and value chain characteristics, to better understand the breadth of possibilities for existing ODG structures.

Semi-structured interviews were conducted with ODG managers, value chain operators, farmers, and other key informants working with ODGs. Organizational documents (*statutes*) were collected. The interview data was analyzed qualitatively (coding, theming) and results combined with the legal analysis of the documents to create a typology of QGs.

Results and discussion

From our analysis of interviews and organizational documents with 12 diverse ODG, we identified several factors that affect the structure of QGs. We also found that farmer voice and equity within QG organizations is higher where farmers are able to express greater control over production processes, either through the artisanal nature of their production in some cases, or through shared ownership of downstream operators in others.

The factors that lead to variances in structure are a) product type, b) production mode, c) distribution mode, and d) ODG sectoral focus.

Product type:

- Long production chain. Products having more steps to get from raw product to sellable form. For examples, cheeses and meats.
- Short production chain. Products such as fruit and vegetables are sorted and packed, but do not require further processing.

Processing mode:

- On-farm processing. All further sorting, processing, and packaging steps are done by the farmer.
- Off-farm processing. The vast majority of raw farm products go through off-farm

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downstream operators for packing or further processing.
- Mostly off-farm processing but some on-farm. Further processing and packaging steps are performed by off-farm businesses, but a substantial number of farmers have their own equipment for further steps.

Distribution mode:
- Higher-volume, not specialized[2], national distribution. Supermarkets are the main marketing venue for these products.
- Lower-volume, specialized, national distribution. Products are distributed mostly to small shops focusing on cheese, meats, or fresh fruit and vegetables.
- Lower-volume, not specialized, local distribution. Products often sold directly to consumers on farm or at farmers' markets, or to local retailers.

ODG sectoral focus:
- One-sector focus. The QG manages quality signs for a particular group of farmers or sector, e.g. poultry products (chicken, eggs, capon, etc.) Most QGs are in this category.
- Multi-sector focus. The QG manages numerous quality signs across a variety of sectors and product types.

Note that while these factors identify the trends found within a QG, they are not always mutually exclusive. For example, some farmers in a QG focused on lower-volume, national distribution, and specialized grocery vendors might also sell directly to consumers.

Typology.

When we consider and apply the above factors to our cases, the following categories emerge:

1. Long production chain, off-farm processing, higher-volume, not specialized, national distribution. Downstream actors in this category can include large agribusiness firms and firms owned by retailers (e.g. large cheesemakers). The actors in these QGs produce meats and cheeses. Generally voting and management power is shared 50% upstream (farmer and cooperative side), 50% downstream (processor, ripener, slaughterer side).
2. Short production chain, off-farm processing, higher-volume, not specialized, national distribution. In the case we studied of this type, about 50% vote goes to farmers directly, 50% to packer/commercializers, but these packers are cooperatively owned by the farmers; and therefore, the QG is strongly producer-oriented overall. Our QG case focuses on fruit production, but we would also expect larger volume vegetable products to populate this category.
3. Longer production chain, mostly off-farm but some on-farm processing, lower-volume, specialized, national distribution. In our cases of this type, a very large majority of voting members are farmers, and about 2/3 of board seats are reserved for farmers. However, downstream actors do have a substantial presence in these QGs, which are involved in meat and cheese production.
4. Short production chain, mostly off-farm but some on-farm processing, lower-volume, specialized, national distribution. In the vegetable-producing group we studied, we saw 100% farmer power. Packers are involved but are not officially members.
5. Both long and short production chains, on-farm processing, lower-volume, not specialized, local distribution. 100% farmer power; no other actors involved. The main sales avenues are direct to consumer or direct to local retailers.
6. Both long and short production chains, off-farm processing, higher-volume, not specialized, national distribution, multi-sector focus. This category is composed of QGs working with multiple quality labels across a variety of product types and value chains. Generally, structures for these products are more downstream-oriented – farmers are involved in some labels, but in others, farm products are simply raw materials purchased at arms-length by processors (e.g. ham.)[3] These products are aimed at supermarket or other large retailer channels. The operators and value chains using the different quality signs managed by the QG are often unrelated to each other.

While the balance of power within a group might vary, we suggest that most QGs will fit in one of these types.[4]

Arguably, types 4 and 5 could be combined from a legal perspective, as their structure is exactly the same: one class of members (farmers), who elect a board or *conseil d'administration* from their own members. However, some of the production concerned in type 5 has a longer value chain, but also has strong differences in legal or group structure from type 3. This justifies our creation of a separate type, and we hypothesize that QGs focused on handicrafts will fit in this category.

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[2] "Specialized" refers to small, upscale vendors selling only particular products (cheeses, meats, or fruits and vegetables.)
[3] The farm products involved in production must still be controlled by the third-party certifier.
[4] Note that for this study, we follow the usual scholarly division between food QGs and wine and spirit QGs. Different laws and practices apply to the latter, though many of the same underlying principles will apply.

Protected designation of origin and its contribution to territorial agro-industrial development: The case of "Bocadillo Veleño" in Colombia.

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***Abstract* – Industrial property protection mechanisms have recently positioned themselves in emerging economy countries as tools to promote local development. However, some Protected Designations of Origin (PDO) have not had the expected impact in terms of economic and social growth, as is the case of the PDO of "Bocadillo Veleño" in Colombia, a sweet guava paste wrapped in a natural Bijao leaf. Therefore, the research sought to answer the following questions: Why has the PDO "Bocadillo Veleño" failed to generate the expected impact? And how can a PDO seal promote territorial development?**

The methodology used was a single case study with multiple units of analysis. The means of collecting information were semi-structured interviews, questionnaires to measure sustainability indicators associated with the PDO and records to determine collaboration networks through the Social Network Analysis approach.

Among the results, an inventory of endogenous strengths is presented that allow the development of agroturism projects for business integration around the PDO. It was possible to establish that the absence of an institutional accompaniment has not permitted an understanding of the potentialities of the PDO, and the actors of the system present weak bonds of cooperation and trust that have slowed down the sector dynamics around the PDO.

***Key words:* Bocadillo Veleño, Case Study, Social network analysis, Sustainability, Territorial development.**

Introduction

Emerging economies countries are betting on obtaining recognition through the protection by industrial property tools, for their local development. Such is the case of obtaining Protected Designations of Origin (PDO), Protected Geographical Indications (PGI) and Collective Trademarks. Colombia has been no exception and in the last 16 years has obtained twenty-nine PDOs. Some PDOs have not had an impact in terms of economic and social growth. One of the cases is the PDO of "Bocadillo Veleño" granted on June 15, 2017 through the resolution 35076 of the Superintendence of Industry and Commerce.

In this sense, the research seeks to answer the following questions: why has the "Bocadillo Veleño" PDO failed to generate the expected impact? And how can a PDO seal promote territorial development? The objective of the study focused on analyzing: "The use and management of the "Bocadillo Veleño" PDO.

Methods

The methodology used was a single case study with multiple units of analysis, based on Yin's methodology Yin (1994). Data collection methods included semi-structured interviews, questionnaires to measure sustainability indicators associated with the PDO and records to identify collaborative networks. The structure of the case is presented in Table 1.

The entire guava value chain and its agroindustry participated in the study: "Bocadillo Veleño" entrepreneurs, guava producers, bijao leaf producers, consumers and institutions linked to the sector.

To complement the study, the Social Network Analysis (SNA) method proposed by Borgatti et al. (2013) was used to identify the density of the network through the collaboration links between the actors in the system in a past and present state.

Table 1. Design of the case study for the analysis of the PDO of the "Bocadillo Veleño".

Name of the case: Evaluation of the Denomination of Origin of the "Bocadillo Veleño" as a mechanism for the promotion of rural development.	
Type of case: Single with multiple units of analysis.	
Research Questions: How can a designation of origin seal promote territorial development? Why has the PDO of "Bocadillo Veleño" not generated the expected impact?	
Instruments: Informed consent, questionnaires, semi-structured interviews, databases, public policy documents at the national, regional and local levels.	
Criteria for interpretation of results: Triangulation of Information	
Analysis units	**Theoretical proposition**
History of obtaining the PDO	Knowing the past events allows us to identify the system and the events that managed to consolidate and obtain the protected designation of origin.
Use and management of the PDO	The correct direction of governance and institutionality are key to the operation of a protected designation of origin.
Level of trust and cooperation between actors	Cooperation and trust between actors make it possible to energize endogenous networks and lead them to participate in global scenarios

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Proposal of projects to guide the good use of the PDO of "Bocadillo Veleño"	The development of projects duly articulated with the different actors in the sector (quadruple helix) are catalysts for the proper use of appellations of origin.

Source: Own elaboration

RESULTS

To respond to the first unit of analysis, three phases were established to achieve the PDO of the "Bocadillo Veleño": The first phase dates to 2007, with an initiative of the European Union, the Local Economic Development Agency. The second phase began in 2013 when the Swiss Economic Cooperation with its COLIPRI project entered the territory and began the socialization phase of the project. The third phase was decisive as new guava and bijao associations were created, the history of the product, the market, territorial anchorage, authenticity and characterization through organoleptic tests were demonstrated. Finally, the federation was created and PDO recognition was requested before the Superintendence of Industry and Commerce, which was obtained on June 15, 2017 through resolution 35076. COLIPRI intervention was from 2013 to 2018.

The second unit of analysis allowed determining there was an increase of 71% in employment and visibility of products thanks to the impact of the PDO, however, they manifest weak bonds of trust between the actors of the system, absence of institutional and governmental accompaniment is identified in this type of seals and a high lack of knowledge in agribusiness. The use of the PDO is still very low, as only 5.81% of producers have been interested in obtaining authorization for its use.

The third unit of analysis of the case study identified that the collaboration ties between actors were much stronger in the past system/before obtaining the PDO (?), as shown in Figure 1, where the density of the network was higher, while the current system, shown in Figure 2, shows fewer ties and consequently a lower density of the network.

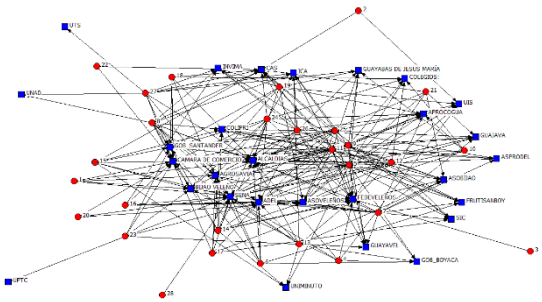


Figure 1. Collaboration Network of the Past System
Source: Our elaboration based on UCINET software

In the fourth unit of analysis, the factors to be strengthened through projects were identified as: institutional and stakeholder cohesion, governance support, innovative processes, profit improvement in primary sector producers, and communication mechanisms among stakeholders. The following projects have been proposed: Internal and external alliances, training in agribusiness, creation of working tables by business units, creation of a touristic route, strengthening of the circular economy carried out by the bijao agroindustry and inclusion of chairs related to the PDO in local Universities.

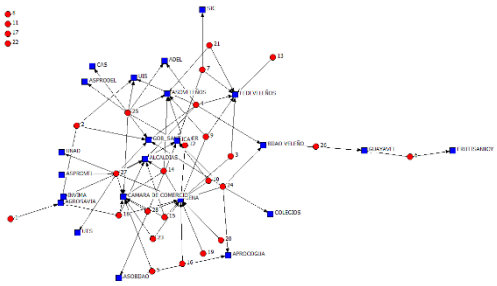


Figure 2. Collaboration Network of the Present System
Source: Our elaboration based on UCINET software

CONCLUSIONS

It was possible to identify that the territorial actors needed the intervention of external entities such as the European Union and the Swiss Cooperation to work as a team and achieve the certification of the Bocadillo Veleño PDO. This fact is perceived in two ways: i) It confirms the lack of trust and credibility among the same territorial actors; ii) The financial investment has been made by COLIPRI, and there has been a lack of interest from the local and national government in supporting the management of this type of processes and recognition.

The "Bocadillo Veleño" PDO has not achieved its economic development because it is still a very recent denomination that needs to be supported by institutions. Moreover, there is a lack of knowledge of its potential from the producers and consumers. In addition, the lack of cohesion among stakeholders has slowed down the proper use of the PDO. Finally, it has been determined that territorial development can be achieved after conducting an inventory of endogenous capacities, identifying the great potential at the territorial level, especially in the creation of an agrotourism route around the PDO that integrates producers of guava, bijao leaf, bocadillo, gastronomy, hotels, and handicrafts. All this development will be carried out from the union of producers, institutions, governance, and consumers.

ACKNOWLEDGEMENT

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Geographical Indications in South America: it's not all about the label. Cultural Factors and Social Network Theories

Patricia Covarrubia and Kerry Purcell[1]

Abstract **– South America's variety of projects aimed to promote, protect, and boost traditional products continue to grow. National intellectual property offices keep supporting farmers, rural communities, and indigenous peoples by advising on the implementation and use of distinctive signs such as geographical indication (GI). Distinctive signs provide product differentiation in competitive markets and current literature discusses the advantages of GIs and collective marks for communities, cooperatives and or associations. However, there is a lacuna in the literature regarding how to support farmers, rural communities, and indigenous peoples in the pre-application practice.**

This paper will explore the potential of establishing a governmental network within the World Intellectual Property (WIPO) as the creator and host of the network. Within this, the paper will focus on a selection of cases from South America GIs and collective marks in the agricultural and handicraft folk (linked to the ecosystem) and consider if indeed this potential network governance can assist the agricultural and handicraft folk in the pre-application stage. In order to conclude the validity of such a network this paper seeks to utilise the psychology of influence to harness collective action to promote and support best practice in the pre-application stages of GI registration.

Keywords **– networking, government, socio-cultural.**

Introduction

The World Trade Organization Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) is a multilateral agreement on IP and thus, member states were obliged to protect GIs from unfair competition and imitation. Therefore, in South America, countries started to regulate GI as sui generis right or as part of the trade mark system. This has permitted micro enterprises and small communities or group of people to benefit from the IP system. Therefore, it seems that the current IP system is starting to play the field for smaller entities, including those who work through non-conventional channels.

For the last 20 years, the world economy has experienced significant growth, and although this mainly comes from the industrial sectors, the world has seen diversification in the export including the agriculture and natural resource-based sectors. (Dodd, 2013). The IP system helps in the economic development of a business and a country, including less-developed economies as it may boost rural development. (Navarra and Thirion, 2019).

Generally, the region shows straightforward legislation and processes to follow. Moreover, there are friendly campaigns run by many IP offices, but the main question remains: why have there not been a floodgate of registrations in countries rich on agricultural products and handicraft that are unique to the region?

Firstly, paper aims to introduce GIs and the idea of a workable governance network structure that could accommodate the socio-cultural aspect of the respective communities. Secondly, it examines one of the main concerns of the communities which is trust in the respective governmental body. Finally, a vertical top-down trans governmental network hosted by WIPO is presented as a solution to supporting communities in the pre-application stage, with the overall aim of increasing the number of GIs registrations and potentially, boosting rural development.

Geographical Indication – Laying the Ground

Distinctive signs help to develop the 'image' of a product or service. A GI signals a link between a product and its specific place, its unique production methods, and distinguishing qualities. For instance, traditional products in the agricultural sector and handicraft such as the Colombian coffee growers effectively use the GI 'Café de Colombia', and the trade mark 'Juan Valdez'; the Peruvian pottery, by the Consejo Regulador identifies its products by the GI 'Chulucanas'.

For a GI, there is a need to create a solid structure that would support it in the journey and future success (social, cultural, and economic). These include several steps: recognition, specifically identifying and codify the products characteristics such as methods, techniques, raw material; the negotiations between producers in defining boundaries (geographical area), and the internal and external quality control mechanisms, among others. For these steps to succeed, there must be a 'governance structure' that bring together the producers, and finally, there must be a set of governance rules to produce the GI and the implementation of internal control mechanisms to ensure that the GI product will consistently match the characteristics expected of it by consumers. (International Trade Centre, 2018).

The aim is therefore to lay the foundation for the people who produce, and or create the product. Therefore, while IP awareness campaigns are welcomed, there is an urgent need to illustrate to the potential users of GI the importance of a harmonised governance. The rationale is that in principle, a GI needs organisation and cooperation among all actors involved in the GI product production. Consequently,

collective action is needed to address collective problems.

GIs are considered private goods which are 'excludable' in which defined property rights are attributed. Such rights include how, when, and by whom a private good is enjoyed. (Kaul, 2015). Through the collective action and support contained within the proposed network governance recommended in this research, registration of GIs would enhance these rights within the network as it may bring rivalry. (Navarra, 2019).

Conventional Wisdom – Trust and Cooperation

There are countries where lack of trust between citizens and state occurs. In Latin America, this is mainly based on high levels of corruption. (Rodriguez, 2019). Therefore, while a network governance (association or federation or any other) is the one that registers the GI, the GI is either controlled by the government and or owned by the state; consequently, the network governance has only the right to 'use' it. (Covarrubia, 2016).

The below data, from the Worldwide Government Indicators, provides an overview of 4 countries in South America [Colombia, Ecuador, and Peru (multiparty trade agreement with the EU); and Brazil, as the only country in the region that is part of the BRICS]. France, as the host country, is selected for comparison.

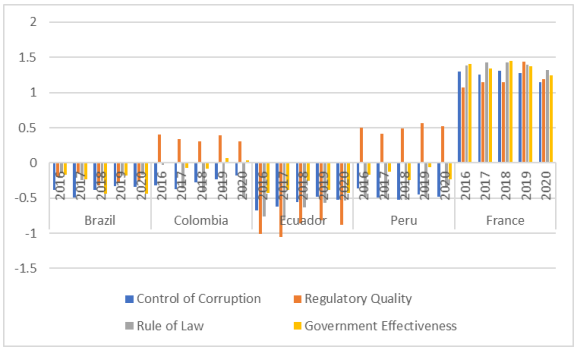


Figure 1. Governance Indicators

IP systems are regulated by the respective governments, and to establish trust, the proposition of a vertical top-down governmental network established and hosted by WIPO, seeks to address this issue. One potential solution could be delegation of individual governing authority of GI registration to WIPO within the network; should delegation of individual governing authority be unsuitable, the notion of 'transnational operation' be employed as a tool within the network. Transnational operation involves the appointment of network officials to ensure that governments implement and cooperate in a similar manner. In terms of facilitating the collective action of the proposed network in terms of building trust, these network officials could be tasked with the role of collating and distributing the information needed by policy makers in a collaborative ongoing relationship. (Dehousse, 1997).

Network Creation

The establishment of governmental networks within a traditional international organisation such as WIPO is proposed as 'breathing new life and power into the organisation itself'. (Slaughter, 2017). By hosting such a network, WIPO engages at a higher level with policy makers by the fostering of relationships that drive cooperation, harmonisation, and best practice within international standards. Subsequently, demonstrating that transgovernmentalism and intergovernmentalism can work in a co-efficient manner. Network design is imperative to its successful operation; the notion of GIs reflects the socio-cultural context of the jurisdictions in which products are created. Consequently, any network established for the treatment of GIs in terms of cooperation, harmonisation, and best practice, must be able to accommodate the diversity in socio-cultural attitudes. There are numerous structural compositions in which networks can adopt. However, given the issues discussed below, this paper will recommend that a vertical top-down network is the most viable solution. Such a network would not obtain a coercive power akin to international criminal matters. Rather, the network's power would derive through cooperation and compliance with best practice set by WIPO. The power of the network would be harnessed by social psychology in which network members (individual policy makers) are positively influenced by other group members. (Cialdini, 2007; Slaughter, 2017).

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D.2 Gouvernance des acteurs de la chaîne de valeur, liens, coordination verticale

Novel conditions or just new paths for re-territorialization through Geographical Indication: Case study of Yamanashi wine GI in Japan

Stéphane FOURNIER, Hart N. FEUER, Aaron J. KINGSBURY, Kae SEKINE[1]

Abstract – The grape wine sector in Japan is evolving toward more refined production and consumption patterns typical of global norms. Recent efforts in this direction to create internationally comparable geographical indications (GIs) in Japan have had to confront historical idiosyncrasies, including the economic dominance of table grapes and uncertain relations between grape growers and wineries. The managing institution of the GI, which is skewed toward corporate wineries, is a reflection of such local production patterns. Nevertheless, within these restrictions, a local innovative dynamic has emerged, valorizing local, high-quality grape producers and gathering interest around export and wine tourism. It is less clear if this dynamic can overcome institutional barriers built into the management structure in a sustainable way.
Keywords – wine, Japan, territorial development

Introduction

Beyond their potential role in marketing and the development of supply chains, GIs offer the possibility to unify territories. Repeated interactions between local actors with a common dependency on a shared resource (*i.e.,* the geographical name under which the product is sold and the associated reputation) have the capacity to facilitate place-based development through increases in social capital and innovative capacity. The optimal conditions for the establishment and success of GIs are well understood from past analyses and include: robust social structure, well-defined product specificity, fair representation of the different stakeholders within the GI managing group, and the ability to follow rules (Fournier *et al.*, 2018).

Considering the synergies between these factors, we argue that, even if they are not all achieved at the beginning of the qualification process, they may be created during it. To this end, we highlight the facilitating role of a GI's framing, but also the (unpredictable) constraints it may represent.

History of wine in Japan and Yamanashi

The most traditional alcoholic beverage made from grapes in Japan is "budo-shu", a simple and imprecisely controlled fermentation of grapes. Wine production following global norms developed since the Meiji era (mid-19th century), although it primarily relied on imported concentrated grape juice as raw material.

A health-focused "wine boom" from 1998 encouraged Japanese consumers to become more discerning, which led to increasing imports but also to interest in domestic wine production made from local grapes. The rising value of grapes for wine created a dilemma for historical grape production regions such as Yamanashi Prefecture, which had primarily focused on the lucrative table grape sector. Leading the way in the late 1990s and 2000s, corporate wineries arose with the objective of developing local wine grape production while maintaining the profitable production of wine from imported grape juice. Smaller local wineries have accompanied this movement. This study analyzes the GI development of the wine industry of Yamanashi Prefecture, Japan through its registration of the Yamanashi wine GI.

Methods

The methods included semi-structured interviews (with interview guides) and qualitative analysis. The data collection in Yamanashi Prefecture was carried out in June and July 2019. Interviews were conducted with wineries, the GI managing group, public authorities, and other researchers. Several interviews with resource persons have also been conducted before and since this field study.

Results

The struggle for inclusivity in the Yamanashi wine GI

From 1995 to 2020, the Japanese National Tax Agency (NTA) registered 11 place-of-origin alcohols as GIs. Among them, the Yamanashi wine GI, registered in 2013, was the first Japanese GI[2]. The registration was initiated by the Yamanashi Prefecture Wine Manufacturers' Association led by Mercian (a local winery owned by multinational beverage corporation Kirin Holdings), and now managed by Suntory, another multinational company. As one consequence, the institutional capacity for managing the Yamanashi wine GI, which was facilitated extensively by public

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[2] The Hokkaido wine, Yamagata wine, Osaka wine and Nagano wine GIs followed from 2018 to 2021.

authorities, has since come to favor wineries, particularly large ones, over grape producers.

In other respects, the Yamanashi wine GI has been shaped to be very open. Initially, there were difficulties achieving a consensus due to the heterogeneity of wineries' techniques and inconsistent recognition of the Yamanashi wine sensorial profile, which owes to the relative youth of the modern wine sector. Wineries were still experimenting with a wide variety of grape varieties and production techniques. To accommodate this, the Association members readily accepted the advice of the government, which wanted to develop "inclusive" GIs based on permissive specifications and broad regions rather than small terroirs (Feuer, 2019). The specifications include a wide range of grape varieties, minimal guidelines for technical aspects, and a large geographical area (see Table 1 for the main elements).

Table 1 Main elements of GI Yamanashi Wine Specifications

Origin of Grapes	100% Yamanashi Prefecture
Varieties of Grapes	42 varieties, including hybrids
Sugar adding	Allowed: 10g/100ml for Koshu, 6g/100ml for Vinifera, 8g/100ml for other varieties
Production area	Entire Yamanashi Prefecture
Specificity	Organoleptic: Well-balanced wine with clear tastes and aromas Chemical: Alcohol 8.5-20.0%

Source: National Tax Agency of Japan

A downstream-driven GI

The wineries did not seek to include the grape growers in the GI, but neither did the grape growers initially seek to participate. To a large extent, the disinterest of grape producers is related to their disproportionate focus on the extremely profitable table grape sector and an entrenched marketing context[3]. As in other processed agri-food cases (Sekine, 2019), wine production (and the GI specifically) is driven the downstream actors in the supply chain, who are left the challenge of establishing contracts with farmers.

A new context and new opportunities

Initially, this GI did not seem to meet the conditions for success posited in the literature (Fournier *et al.*, 2018). However, a new context emerged in the previous decade favourable for wine development. In 2018, the law on "Japanese wines" came into force, requiring grapes of Japanese origin to comprise 100% to qualify for the label. This illuminated the wine market in Japan by alerting consumers to the prevalence of "non-Japanese" wine. The two registered GIs benefited from this movement, which had reinforced a quality turn already underway for several years.

The wineries of Yamanashi have gradually sought to increase the share of GI wine in their overall production (which remained below 50% during the first years of the GI) by building a narrative around Yamanashi wine (Kingsbury, 2021). Another goal of the Association's 80-member wineries has been to improve the access to international markets. Looking to differentiate, wineries have sought to obtain more and more local grapes, which led them to offer increasingly advantageous contracts to grape growers, who have long been considered by wineries as substitutable suppliers of commodities. Some of these producers are shifting from the production of table grapes to meet this new demand.

New forms of horizontal cooperation are also apparent between these wineries and with the smaller winegrowers, notably for technical exchange. In turn, Yamanashi grape producers have developed new innovative capacities in producing grape varieties more suitable for winemaking. Finally, agri-tourism and wine festivals have become commonplace in the region, which benefits from its proximity to Tokyo.

Discussion

Although the institutional management of the Yamanashi wine GI is dominated by corporate actors and marginalizes grape growers, the "GI frame" and a globally favorable market for Japanese wines have created a local innovation dynamic, in which peripheral local actors (such as grape growers) have come to occupy strategic positions in the value chain. By requiring 100% local sourcing for wineries, it has started a process of relocalization and has pushed wineries to review their relationships with their suppliers in terms of loyalty and quality. Wine tourism and a rising export market have created a common banner of territorial development that producers and wineries rally behind, even as brand strategies remain dominant.

However, since the "GI frame" does not require farmers to be represented in the management group in Japan, it cannot guarantee that power relations, which are skewed in favor of wineries, will be remedied (Sekine, 2019). Moreover, it creates rigidities in terms of geographical scale, potentially blocking future differentiation into a genuine terroir product.

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[3] Some varieties of table grape can be sold up to 30 USD/kg.

D.3 Gouvernance de la chaîne de valeur : contrôles, évaluation et facteurs de succès IG

Analyse de la mise en place de l'Indication Géographique "DegletNour de Tolga"

F. BACHA [1]

***Résumé* – La présente étude consiste à analyser la mise en place de processus de labellisation IG des dattes DegletNour de Tolga en Algérie et dont l'objectif est de déterminer les facteurs clés de succès ou de freins à cette la labellisation. Par le biais d'entretiens semi-directifs avec des personnes ressources et l'exploitation de la littérature existante, l'analyse porte sur l'examen des contenus des cahiers des charges et des stratégies des acteurs.**

Mots clés –Labellisation, IG, DegletNour, Algérie.

CONTEXTE

Les indications géographiques sont apparues en Europe et ont concerné historiquement les vins et spiritueux. Se référant à l'origine du produit, ces signes de qualité mettent en lumière les caractéristiques particulières d'un produit attribuables à son terroir : savoir-faire, tradition et ressources naturelles locales mobilisées (Prévost et al., 2014, Giovannucci et al., 2009). Leur nature et leur lien étroit avec le terroir, leurs confèrent des droits exclusifs et territoriaux (Kalinda, 2010). Ainsi, elles ont été reconnues comme des droits de propriété intellectuelle (DPI) à travers l'Arrangement de Lisbonne par l'Organisation Mondiale de la Propriété Intellectuelle (OMPI) et par la suite par le biais de l'Accord sur les ADPIC de l'OMC qui permet la protection des produits contre l'imitation et l'appropriation illicite de leurs noms.Ceci a donné une véritable impulsion internationale au droit des IG puisque les États membres de l'OMC sont tenus de prévoir une réglementation permettant aux acteurs intéressées de demander une protection des IG (Belletti et al., 2014).

A l'instar des pays européens, une dynamique pour protéger et valoriser des produits de terroir sous IG dans les pays sud de la méditerranée s'est instaurée. Ces initiatives sont soutenues par une volonté politique des pouvoirs publics dont l'objectif est d'entrainer un développement territorial et local, soutenu, intégré, et durable (Fort, 2014). Néanmoins, pour avoir des impacts économiques, environnementaux et sociaux positifs, la labellisation sous IG doit être mis en place sous certaines conditions qui constituent les facteurs clés de la réussite de cette reconnaissance. Ces facteurs sont primordiaux à la réussite d'une IG : ⎫ Un cadre institutionnel et juridique efficace ; ⎫ Un cahier des charges; ⎫ Une qualité distinguable ; ⎫ Des efforts de marketing; ⎫ Une volonté des consommateurs à payer ; ⎫ Des stratégies de commercialisation communes ; ⎫ Une bonne gouvernance ; ⎫ Un appui par les pouvoirs publics (Vandecanlarere et al., 2018,; Belletti et al., 2014; Giovannucci et al., 2009, Rangnekar, 2004).

En Algérie comme ailleurs, la promotion des produits de terroir peut être à la base d'un processus de développement rural durable. Depuis 1971, sept vins ont été labélisés sous appellation d'origine garantie (VAOG) algérienne. Ce n'est qu'après 2016, que trois produits ont été labélisés sous IG et AO : les figue sèches de Beni Maouche, le fromage de Bouhezza et les dattes DegletNour de Tolga (Biskra), suite à la mise en œuvre d'un projet de jumelage avec l'Union Européenne dans le cadre de l'accord d'association, qui a appuyé la mise en place d'un système de reconnaissance de signes de qualité liés à l'origine. C'est dans ce contexte que nous nous intérogeons dans notre étude sur le choix, la réussite et les retombées d'une telle labellisation sous IG des dattes DegletNour de Tolga. L'objectif prinicpal est de déterminer les facteurs clés de succès ou de freins à cette labellisation.

METHODOLOGIE

Ce travail de recherche combine à la fois l'analyse de la mise en place de processus de labellisation, la situation de la filière dattes en Algérie ainsi qu'une analyse des contenus des cahiers des charges et des stratégies des acteurs: pouvoirs publics et acteurs de la filière.Pour ce faire des entretiens ont été réalisés avec des personnes ressources et l'examen de la littérature existante.

En premier lieu, une exploitation des données statistiques et climatiques a été faite afin de déterminer les potentialités de la filière ainsi que les spécificités du territoire de Tolga. Il a été constaté que la wilaya de Biskra occupe une place importante dans la production nationale avec une part de 42% de la production totale. En plus, Tolga est le berceau de la variété DegletNour. Les spécificités naturelles du climat, sol et de l'eau d'irrigation du territoire de Tolga, donne une qualité spécifique à la variété DegletNour. La texture hydrogéologique a permis d'avoir une datte de qualité supérieure. Ensuite, l'analyse documentaire des différents rapports ainsi que les textes juridiques a été faite dans le but de comprendre le choix du label IG pour DegletNour de Tolga et l'intérêt pour les pouvoirs publics et les acteurs de la filière.D'un autre coté, nous avons analysé également le processus de labellisation en Algérie et nous avons identifié les rôles des différents acteurs qui interviennent dans le processus. En deuxième lieu, une typologie des acteurs a été élaborée. Quatre catègories d'acteurs ont été identifiées: pouvoirs publics, organisme de certification et de contrôle, institution de formation et de recherche et les organisations professionnelles notamment l'association des producteurs et des conditionneurs des dattes détentrice du label. Les personnes ressources ont été seletionnés sur la base des critères suivants : membre de comité national de labellisation, chargé de contrôle et de certification, formateurs et chercheurs qui ont travaillé sur le sujet, producteurs et conditionneurs,

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exportateurs des dattes DegletNour de Tolga. Les entretiens semi-directifs avec les personnes ressources ont porté sur : le choix du label, la gestion et le contrôle interne et externe du respect du label, les attributs des produits et le lien avec le terroir, la rédaction du cahiers de charges, la justification des contenus des cahiers des charges, les critères d'adhésion et de gouvernance au sein de l'association, les compromis entre les producteurs, les stratégies de commercialisation et de marketing. De même , une analyse des contenu des cahiers des charges a été faite.

Discussion et resultats

Il a été constaté que le choix de l'IG pour Deglet Nour de Tolga est basé sur une volonté des pouvoirs publics de soutenir la filière dattes qui représente un potentiel d'exportation ainsi que la crainte d'usurpation de DegletNour de Tolga et la perte du volume dans le circuit informel. D'un autre coté , les exportateurs des dattes à Biskra ont vu l'intérêt de la labellisation afin de se positionner sur le marché européen. Conscients de la qualité de leurs produits, ils souhaitaient distinguer leurs produits par la reconnaissance du terroir de production. L'enregistrement de l'IG à l'international permettait de diffuser la réputation des produits au delà des frontières à l'instar d'autre pays producteurs-exportateurs tels que la Tunisie. La manière dont la qualité spécifique est définie dans les cahiers des charges dépend du type du produit et de la stratégie des producteurs: stratégie défensive ou offensive (Vandecanlarere et al., 2018).D'aprés l'analyse, la labellisation des dattes DegletNour de Tolga, est dans l'approche plutôt défensive puisqu'elle défend une solide réputation dans le but de sauvegarder les pratiques traditionnelles utilisées généralement dans la région.Les spécificités définies dans le cahier des charges décrivent essentiellement les pratiques existantes, selon les producteurs : des opérations de tri, de conservation et de présentation sont indispensables dans la préservation de la qualité. Les producteurs qui ne pratiquent pas les procédures culturales et de conditionnement décrites dans le cahier des charges sont exclus.Une marge brute plus élevée est également le résultat de stratégies et d'outils de commercialisation et de marketing efficaces (Rangnekar, 2004). Néanmoins, les producteurs membres de l'association, affirme l'existence de négociations entre les producteurs de Tolga, en général, et qui porte sur les prix, les quantités produites mais elles sont souvent informelles. Les producteurs et conditionneurs des dattes IG DegletNour de Tolga se sont organisés au sein de l'association pour déposer une demande sous IG. Par la suite cette organisation collective n'a pas servi comme plateforme de négociation et de concertation des acteurs notamment pour construire des stratégies communes de commercialisation et de marketing.

Le cadre juridique et institutionnel est récent, le processus de labellisation sous signe IG/AO est opérationnel, mais il n'est pas finalisé. Le processus d'accréditation des organismes certificateurs est toujours en cours. Les producteurs qui veulent exporter se sont trouvés face à la difficulté de certification de leur produit. Ceci a initié un désintérêt des professionnels à la labellisation de leur produit sous IG et c'est l'une des raisons de la faiblesse de l'adhésion à l'association ces dernières années.

Conclusion

L'étude a montré que la labellisation de dattes DegletNour de Tolga est une volonté politique avec une adoption des acteurs de la filière. L'intérêt pour l'Etat est de protéger le savoir-faire local ainsi que la variété qui fait partie du patrimoine. Pour les producteurs de Tolga, Ils sont conscients que leur territoire a une notoriété et ils souhaitaient le valoriser. L'analyse des contenus des cahiers des charges et des stratégies des acteurs, a montré que les facteurs qui freinent la réussite de cette labellisation sont d'ordre institutionnel et organisationnel. Le cadre juridique et institutionnel sont finalisés mais montrent des insuffisances notamment dans le processus d'accréditation des organismes certificateurs. D'un autre coté, d'ordre organisationnel pour la gestion du label et de l'association.L'IG est un moyen de renforcer l'action collective et permet de faire converger les stratégies individuelles. Les membres de l'association de Tolga, n'ont pas l'esprit de groupement et la culture de l'organisation. Ils se sont regroupés pour demander un label collectif, par contre ils ont gardé l'esprit entrepreneurial individuel. Leurs relations relèvent de l'esprit social (relations familiales, voisinage et autre...), ce qui engendre des accords informels et de partage de l'information. Ceci n'est pas sans intérêt, les valeurs de partage et d'entraide renforce les liens entre eux, mais l'organisation collective nécessaire à la valorisaion commerciale n'est pas solide.

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Participatory Guarantee Systems (PGS): a tool to improve the effectiveness of Geographical Indications in short food supply chains; the case of Parma district.

Michele Maccari, Marianna Guareschi, Lisa Baldi, Maria Cecilia Mancini, Filippo Arfini[1]

Abstract **– In Short food supply chains (SFSC), the product quality is strictly connected to the quality of the control system. When consumers play an active role in controlling the quality of products, the elements characterizing the quality as a domestic convention further increase the reputation of the products. The purpose of this paper is to analyse the role of Participatory Guarantee Systems (PGS) as quality control system in SFSC. Most research and investigation on PGS have been conducted and developed within the framework of organic agriculture practices. This paper aims to investigate if PGS can represent an opportunity for GIs, in terms of internal governance and as an opportunity to facilitate combinations with other geographically-linked labels. The research makes reference to the case of the area of Parma (Italy) and particularly to the PGS certification system developed by consumer groups jointly with producers. Applying the Social Network Analysis (SNA), the paper investigates values, motivations, limits and risks for producers joining the PGS.**

Keywords **– certification, PGS, participation .**

Introduction

Short food supply chains (SFSC) are organizational models capable to simultaneously address the needs of various stakeholders: i) consumers accessing high quality local products; ii) local farmers gaining direct market access; iii) civil society, through sustainable rural development policies. SFSCs, developed in localized territories and based on proximity, have interesting implications in terms of governance of the food system. In Localized Agri-food Systems (LAFS) there are different types of food products such as Geographical Indications (*GIs*), organic, typical and locally recognized products. Those characteristics could be simultaneously present in the same product, or can also be spread among different products. The quality of the control system and the quality of the products are strictly interconnected in SFSC. When consumers play an active role in controlling the quality of products, this generally leads to an increase in the reputation of the products. There are several ways to incentivize the participation of consumers and one of the most recognized and studied instrument is the Participatory Guarantee System (PGS) (Moura et al. 2019). PGS are second party certification systems based on an innovative holistic approach, combining several dimensions of sustainability (economic, social and environmental) with technical and traditional knowledge (Fonseca, 2004). PGS are particularly suitable for SFSCs as they are low-cost, local systems for product or value chain quality assurance, that strongly emphasize social control and knowledge-building. PGS are networks, created within local communities, that include producers, experts, public sector officials and consumers. All the stakeholders – particularly consumers - are encouraged to actively participate in the process, establishing the norms tailored to local conditions and socio-cultural context and playing a key-role in the control procedures. This active participation of the stakeholders enhances transparency, trust, social networks, knowledge exchange and a form of social control (FAO, 2016). Participation and horizontality are key aspects of PGS membership that promote producer self-awareness and self-confidence, while simultaneously benefiting consumers in terms of access to information and end-user guarantee. Moreover PGS play an important role in community building and empowerment, by demanding a high level of commitment and engagement by all actors involved.

Methods

Most researches and investigations on PGS have been conducted and developed within the framework of organic agriculture practices (IFOAM, 2015). Nowadays, the PGS has expanded its boundaries and is perceived and adopted as a reliable and instrument to assess

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sustainability in agriculture across a wider spectrum of practices, beyond organic agriculture. PGS is considered to be a viable tool in some pilot initiatives connected to various sustainability standards and quality schemes. The purpose of this paper is to analyse the role of PGS as quality control system in SFSC, going beyond the area of interest of organic agriculture and exploring its possible interactions with the Geographical Indications (GIs). The paper aims to investigate: *i)* if PGS certification enhances or replaces the value of quality perceived by consumers; *ii)* if PGS increases the product value thanks to the trust relations established between producers and consumers; and *iii)* if PGS can represent an opportunity for GIs, in terms of internal governance and as an opportunity to facilitate combinations with other geographically-linked labels and with other labels. The paper makes reference to the case of the district of Parma and particularly to the PGS certification system developed by consumer groups jointly with producers of the Parma area (District of Solidarity Economy-DES). The research considers the following aspects: motivations for joining the PGS; perceived values of PGS (social embeddedness, ownership, transparency); participation (consumers and producers); limits and risks; added value of PGS (reputation, trust, reduced cost for small producers, etc.). The research applies the Social Network Analysis (SNA) through questionnaires targeting producers and stakeholders members of the PGS of the Parma DES.

Results

After several preparatory meetings with the coordination committee of the Parma DES, the research is currently in its implementation phase. The SNA is being applied to over thirty producers and other stakeholders members of the Parma PGS DES.
Expected results: the preliminary results should be ready before the date of the conference (June 2022). According to literature, the SNA based on the graph theory is a valid methodology to identify the relationships among actors (Chiffoleau et al., 2014). This will allow the authors to understand the centrality of each actor, the main properties of the overall network and the role that PGS plays as control system of the network. More specifically the authors expect that results of the SNA will allow to assess the effectiveness of PGS for GIs certified producers.
Generalization of the results: the analysis refers to a specific case study but the authors believe that some indications could be used for similar contexts. The main objective is specifically to understand if PGS could represent a potential complementary instrument for GIs products, particularly for small GIs producers of SFSC, targeting local and regional markets.

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The control plan of agricultural and non-agricultural GIs: the Cinderella of collective action?

Flavia Guerrieri, Delphine Marie-Vivien[1]

Abstract – Compared to the product specifications, the control plan is often at the background of the operationalisation and analysis of collective action in GIs. This article shows that analysing the control plan allowed to unravel key differences in collective action between agricultural and non-agricultural GIs. ***Keywords – collective action, controls, agricultural and non-agricultural GIs.***

Introduction

The extension of the European system of Geographical Indications (GIs) for agricultural products and foodstuffs to non-agricultural products is currently discussed at the European level. In France, a system of protection of GIs for industrial and artisanal products (IGPIA) has been established in 2014 and is administered by the *Institut National de la Propriété Intellectuelle* (INPI). Contrary to the system managed by the Ministry of Agriculture (INAO) of GIs for agricultural products and foodstuffs, in the IGPIA system, the product specifications (PS), the statutes of the GI Defence and Management Organisation (ODG) and the control plan are always public documents. This facilitates the access to crucial information and suggests a shift in perspective both for producers and academics to the operationalisation and understanding of collective action, one of the pillars of GIs. Built upon the analysis of the control plan (an often-underestimated document), this paper aims to better understand key issues on collective action in IGPIA in France. The paper compares the IGPIA *Absolue Pays de Grasse* with a similar agricultural GI, the PDO *Huile Essentielle de Lavande de Haute-Provence.* This innovative approach allows to highlight how the control management (1) qualifies the link to origin, and (2) impacts on collective action for GI registration and governance.

Methods

This paper involves the comparative analysis between the French legal framework on agricultural GIs and IGPIA. The PS, the statutes of the ODG, the control plan for the PDO on the Essential Oil and the IGPIA on the Absolute were analysed. 13 semi-structured interviews were conducted involving the stakeholders of the value chain of both GIs, national authorities, and representatives of French control bodies.

Finding common grounds

The comparison between the PDO on the Essential Oil and the IGPIA on the Absolute is particularly relevant due to common characteristics.

Common agricultural raw materials. The GI products involved are processed products derived from the same agricultural raw materials: local species and/or varieties of aromatic plants. The Essential Oil is obtained through steam distillation of Population Lavender. In contrast, the Absolute is obtained through numerous processing steps, involving the extraction of plant raw material and the transformation of the primary extract into absolute.

Similarities in the value chain. For the PDO, there are 86 lavender growers, 12 processors (including cooperatives and associative distilleries), about 19 stakeholders are both lavender growers and distillery owners/processors. For the IGPIA, 7 industries produce the Absolute and most aromatic plant growers are represented by an association.

Coexistence of heterogeneous know-how. The pedo-climatic conditions, and the know-how on the cultivation of aromatic plants constitute a common baseline for the Essential Oil and the Absolute, as they influence the distinctive characteristics and qualities of the GI product. In both cases, the local know-how related to processing coexists and interacts with the agricultural practices involving aromatic plants.

These similarities would suggest similar approaches to the product characterisation. However, the analysis of the PS and control plan revealed remarkable differences between the PDO and IGPIA products.

Content of the PS

The PS of the PDO product. It shows the producers' choice to prioritize the quality of the raw materials over the processing in defining the link to origin. Strict rules identify the characteristics of the plant variety, the Population Lavender, which grows in the geographical area under specific pedo-climatic conditions and altitude. The steam distillation process is not described in detail in the PS, the distillery must be in the geographical area. The description of the product is punctual and involves both the olfactory and analytical distinctive attributes.

The PS of the IGPIA product. It is mainly focused on the specific characteristics of the processing, explicitly linked to local reputation. A list of 28 species

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of aromatic plants historically harvested in the identified geographical area constitute the raw materials for producing the Absolute. Contrary to the PDO, the pedo-climatic conditions and the agricultural practices are not described as a main justification for the link to the origin. The criterion used to localise of the raw materials is the historical relationship between aromatic plant growers and processors. The product characteristics are described using three broad elements: the plant-dependent olfactive properties of the absolute, the high olfactory concentration and the solubility in ethanol.

Content of the control plan

Controls for the PDO product. They are conducted on the lavender field plot and on the processed product. The distillation process is subject to documental control. Yet, strict analytical and olfactory controls on the characteristics of the PDO product are considered enough accurate to verify the distillation process and the compliance with the agricultural practices. The internal control (by the ODG) and the external control (by the control body) target the same elements and mutually contribute to ensure the reliability of the control system.

Controls for the IGPIA product. They are concentrated at the processing stage. Besides controls on the processing steps, the local sourcing and nature of the plant species is subject to documental and visual control by the control body at the processors' premises. The compliance to the specific characteristics of the product is managed through self-control (analytic and olfactory) by each processor, individually. The ODG does not perform internal controls on stakeholders' compliance to the PS.

Learning from the control plan

The analysis of the control plan allowed to identify key issues on collective action.

Issues derived from the legal framework. In the IGPIA system, external control is directly implemented through a contract between each GI beneficiary and the control body. Nevertheless, the ODG is free to sign a contract with the control body for third party control. As a result, each GI beneficiary independently manages the relationship with the control body for the certification. This could discourage the mutualisation of costs and the collective approach to control management. Moreover, art L 721-6 Industrial Property Code does not mention the duty of the ODG to perform internal controls on stakeholders' compliance to the PS. In other words, in the IGPIA system, control management is not formally centralised upon the ODG, a factor that could weaken collective action. In the case of the Absolute, this approach is also suggested by the choice of self-control (instead of external or internal control) to verify specific characteristics of the product (i.e., olfactory, and analytical attributes), broadly identified in the PS. In French agricultural GIs, the contract for third party external control between the ODG and the control body is compulsory and the control management for certification is always centralised upon the ODG, also in charge of mandatory internal controls (art 4.1.2.1. ISO 17065 and art L 642-22 CRPM).

Issues derived from control distribution along the value chain. In the PDO controls are distributed along the value chain, involving both lavender growers and processors. Therefore, control management shows a horizontal integrated approach to PS design and GI management. In the IGPIA the concentration of controls upon the processors helps to better understand the role of the plant growers in the GI initiative and management. On the one hand the plant growers' association, recognised as the ODG, is the catalyst for collective action: it started the GI project, formalised the local sourcing of the plants in the PS, facilitated the compromise between aromatic plant growers and industrial processors. On the other hand, this core role is less prominent in the PS and in the control plan, where the criterion of the provenance and plant species, checked at the processing stage, reveals an original approach to the product characterisation. The link to origin is primarily qualified through the traditional know-how on the process, and the local sourcing of the raw materials is based on historical factors. As also confirmed by the analysis of the statutes of the ODG, plant growers and processors have different responsibilities on the GI management. Yet, there is a vertical coordination, where two separate decision-making centres are characterised by different degrees of collective engagement. The first is on the plant growers' association (initiator and 'pilot' of the GI), and the second is on the processors, who interact with the association to engage in the GI management.

Rediscovering the control plan

In France, the system does not impose the publication of the control plan for PDOs and PGIs. This lack of accessibility has over time hidden its significance in GI research and practice.

This paper showed the added value of the control plan for identifying key elements of collective action in GI management, which could remain implicit in the PS. Public control plans would promote the transparency of the GI system, important to understand producers' choices to justify the link to origin. In conclusion, as Cinderella, public and accessible control plans, would finally be recognised at their true value, as key operational and diagnostic tools for GI collective action.

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E. Lien avec l'origine : questions environnementales et liées au changement climatique

Indication Géographique, Biosphère et Collectivités Locales, Enjeux et perspectives pour un développement durable : cas du Café Ziama-Macenta

Mory HABA[1]

Résumé - Le Café Ziama-Macenta, première Indication Géographique (IG) de la Guinée, mais aussi de l'Afrique de l'Ouest, peine encore à être un véritable levier de développement dans un territoire où Collectivités Locales et Institutions de protection de l'Environnement se côtoient sans véritablement tirer profit des opportunités qu'offrent les uns et les autres pour assurer un développement durable de la région. Le potentiel de production existant ainsi que la biodiversité remarquable des systèmes agroforestiers à base de caféiers situés tout autour de la Réserve de Biosphère du Ziama constituent des opportunités de développement pour l'IG café Ziama-Macenta et les collectivités locales, qui se veulent d'être valorisées et exploitées.
Mots clés – Café Ziama-Macenta, Biosphère, Collectivités, Biodiversité, Certification.

Introduction

L'Indication Géographique (IG) Café Ziama-Macenta a été enregistré par l'Organisation Africaine de la Propriété Intellectuelle (OAPI) en 2013. C'est un Robusta de qualité supérieur qui est cultivé tout autour de la forêt de Ziama, dans des systèmes agroforestiers traditionnels d'une diversité végétale et faunique remarquable. L'IG café Ziama-Macenta est produite par deux coopératives (Woko et Diani) réunies au sein de l'Association de Défense du Café Ziama-Macenta (ADECAM). Située au sud-est de la Guinée, la forêt de Ziama, d'une superficie de 120 000 ha a été classée en 1942 par l'administration coloniale française puis érigée en Réserve de Biosphère (RBZ) en 1942 par l'UNESCO[2]. Elle constitue aujourd'hui l'une des dernières reliques de forêt dense humide de l'Afrique de l'Ouest et fait l'objet d'intérêts particuliers d'institutions de protection de l'environnement et bailleurs (Faune & Flora International, UICN, AFD, USAID, KFW). Plusieurs acteurs se partageant l'aire géographique délimitée de l'IG du café Ziama-Macenta cohabitent sans une réelle synergie d'actions et de complémentarité permettant un développement durable de ce patrimoine national qu'est le Café Ziama-Macenta. L'objectif de cette étude est, dans un premier temps, d'analyser les performances actuelles de l'ADECAM, d'établir des liens entre la production du café Ziama-Macenta et la préservation de la biodiversité végétale, et enfin d'identifier des opportunités que pourrait tirer chaque partie prenante située dans l'aire géographique de l'IG.

Methodologie

La collecte de certaines données ont été faites auprès des organisations paysannes productrices du café Ziama-Macenta (Coopératives et ADECAM) concernant leurs productions, ainsi qu'auprès des gestionnaires de la RBZ et des collectivités locales se trouvant dans l'aire géographique de l'IG. Des relevés floristiques ont également été réalisés (le nom et le nombre de l'espèce) dans cinq placettes de 2500 m^2 chacun et correspondant à cinq plantations paysannes suivant le type de système agroforestier à base de caféiers identifiés. L'analyse des forces, faiblesses et opportunités de ces trois parties prenantes (IG Café Ziama, RBZ, Collectivités locales) a été faite par la méthode SWOT. Des analyses des richesses spécifiques et diversités floristiques sur chacune des cinq SAF ont été faites selon l'indice de Shannon (Sheil D.et al, 2003).

Indice de Shannon H'

$$H = -\sum_{i=1}^{S} p_i \ln p_i$$

Avec pi proportion de l'espèce i ; S = richesse spécifique observée

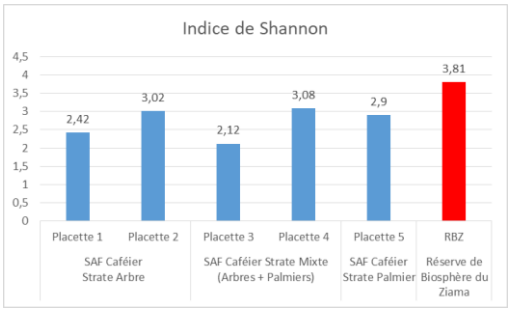
Resultats

Le café Ziama-Macenta, première Indication Géographique ouest-africain à être enregistrée par l'OAPI, fait aujourd'hui parti du patrimoine national guinée géré par l'ADECAM. Ses Coopérative Ces deux coopératives, Diani et Woko, comprennent 2295 producteurs regroupés aux seins de 195 groupements. Elles sont également régies par la loi OHADA[3], ce qui est une première dans les organisations paysannes productrice de café en Guinée.

Un volume total de 128,36 tonnes de café vert a déjà été exporté entre 2013 et 2017 à un torréfacteur français (Maison P. JOBIN et SCIE), et sous deux

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[2] United Nations Educational, Scientific and Cultural Organization
[3] Organisation pour l'Harmonisation en Afrique du Droit des Affaires

types de certification : Certification équitable SPP en blanc et Certification Flo-cert fair trade international.
Ce sont trois Systèmes Agroforestiers (SAF) à base de caféiers Robusta qui ont été identifiés dans l'aire géographique du café Ziama-Macenta en fonction de la nature de la strate supérieure (SAF caféiers à strate supérieure Arbre, SAF caféiers à strate supérieure Palmier à huile[4], SAF caféiers à strate supérieure mixte Arbre et Palmier à huile). Les inventaires floristiques réalisés sur cinq placettes d'1/4 d'hectare (2500 m2) chacun dans ces trois types de SAF café autour de la RBZ montrent des richesses spécifiques (nombre d'espèces végétales) variant entre 20 et 50 espèces, avec des indices de biodiversité végétale (Indice de Shannon) compris entre 2,12 et 3,8. Trois des espèces végétales identifiées figurent sur la liste des espèces de conservation prioritaire de l'UICN (*Terminalia ivorensis, Milicia excelsa, Entandrophragma candolei*) et neuf espèces de la Monographie Nationale d'étude de la biodiversité (MNG).



Figur 1 : Biodiversité végétale des SAF café dans l'aire géographique de l'IG café Ziama-Macenta (Indice de Shannon).

Suivant le Plan d'Aménagement et de Gestion de RBZ (2020-2029), plusieurs plantations de caféiers se trouvent dans la Zone de gestion durable ou zone de transition. Plusieurs institutions internationales et ONGs, dont Faune & Flora International et l'UICN[5] sous financement du FEM[6], interviennent dans la RBZ sans une réelle prise en compte de l'IG café Ziama.
Sur les huit Collectivités Locales que couvre l'aire géographique délimitée de l'IG Café Ziama, cinq font également partie de la RBZ avec 32 villages riverains concernés. Ces collectivités Locales ne mentionnent pas l'IG Café Ziama-Macenta dans leurs stratégies de développement à travers leurs Plans de Développement Locaux (PDL).

Discussion

Les deux coopératives agricoles productrices du café Ziama-Macenta (Woko et Diani), membres de l'ADECAM, sont aujourd'hui régies par la loi OHADA qui leur donne la possibilité d'avoir des relations commerciales et économiques avec des partenaires nationaux et internationaux pour la production et la vente de leur café et d'en bénéficier des avantages éventuels qui s'y attachent. Ces organisations de producteurs n'avaient pas auparavant toutes ces possibilités car elles étaient sous la loi nationale L/2005/014/AN, régissant les organisations paysannes en Guinée. A part les deux types de certifications (Certification équitable SPP en blanc et Certification Flo-cert fair trade international) obtenues pour deux campagnes de production (2016 et 2017), l'IG café Ziama-Macenta pourrait aussi bénéficier des avantages liés à d'autres types de labels, telle que la Certification Rainforest (Ecocert), qui traitent plus des aspects d'agriculture durable et de biodiversité. Comparativement aux résultats de l'étude réalisée par Diabaté M. et al (2007) dans la biosphère du Ziama, celle-ci aurait une richesse spécifique se situant autour de 78 espèces végétales sur ¼ d'ha, ce qui reste largement supérieure à celles des SAF à base de caféiers. Cependant, les diversités floristiques (Indices de Shannon) des cinq SAF à base de caféiers étudiés, avoisinent celle de la forêt de Ziama qui est de 3,81 pour les mêmes surfaces. Les nombres d'arbres identifiés dans les cinq SAF étudiés et extrapolés à l'hectare sont nettement supérieurs au nombre d'arbre optimum exigé dans le Cahier des Charges de l'IG café Ziama (CdC café Ziama-Macenta, 2012) qui est de 25 arbres/ha. Les ressources financières et matérielles pour la mise en œuvre des Plans de Développement Locaux (PDL) des collectivités locales de l'aire géographique pourraient provenir également des retombées issues de l'IG café Ziama-Macenta à travers différentes certifications environnementales comme le prévoit le Code des collectivités de la République de Guinée (mars 2006) qui encourage à cet effet des ''PDL verts''.

Conclusion

Dans un tel contexte, l'IG Café Ziama-Macenta ne saurait se développer sans une prise en compte des préoccupations des principaux acteurs se partageant et intervenant dans ce territoire. L'IG café Ziama-Macenta doit également avoir une place privilégiée dans les Plans Locaux de Développement des communes rurales. La conservation in-situ de la biosphère du Ziama se devra de prendre en compte celle ex-situ de cette biodiversité à travers les pratiques culturales du café Ziama-Macenta qui se font dans des systèmes agroforestiers riches et complexes.

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[5] Union Internationale pour la Conservation de la Nature

6 Fond Mondial pour l'Environnement

La problématique des indications géographiques face au changement climatique en France

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Résumé
Comme l'ensemble du secteur agricole, les indications géographiques françaises, ancrées dans leur territoire, ont la nécessité de s'adapter aux effets du changement climatique, en ajustant certaines règles encadrant leur production tout en veillant à préserver l'authenticité de leurs produits et la promesse faite aux consommateurs. Pour relever ces défis, des actions collectives sont menées à différents niveaux par les parties prenantes concernées, avec l'indispensable accompagnement des outils institutionnels disponibles.

***Mots clés**: indication géographique, lien à l'origine, changement climatique, cahier des charges*

Contexte des IG en France

Inscrites dans un cadre règlementaire défini à l'échelle européenne, les indications géographiques (IG) en France réunissent 3 familles de produits : les AOC (Appellations d'origine contrôlée, correspondant au terme européen AOP), les IGP (Indications géographiques protégées) et les IG de boissons spiritueuses. Ces IG françaises, au nombre en 2020 de 745 (dont 66% liées au vignoble) occupent une place très significative dans l'économie agricole et agro-alimentaire française, et participent à son image qualitative. Elles contribuent également à créer de la valeur dans des zones rurales défavorisées et à y maintenir un tissu social dynamique.
Chaque IG est définie par un cahier des charges contenant les informations sur les limites de son aire de production, une définition des produits et des règles précises en matière de méthode d'obtention (production et transformation.

Un élément central du cahier des charges est l'explication du lien à l'origine, permettant de comprendre comment les facteurs humains (usages, savoirs faire locaux,…) et naturels (climat, géologie, relief, sols, biodiversité,…) de l'aire délimitée interagissent pour aboutir à un produit original et spécifique.

Il est important de noter que chaque cahier des charges est issu d'une démarche collective volontaire d'opérateurs économiques réunis au sein d'un ODG (organisme de défense et de gestion). Il fait l'objet d'une homologation par arrêté interministériel après approbation par une instance décisionnelle de l'INAO.

Quels impacts du changement climatique sur les IG ?

Les systèmes de production des IG sont, comme l'ensemble des agro-systèmes, impactés de différentes façons par les dérèglements climatiques, et ce depuis déjà plusieurs années.

Les caractéristiques sensorielles et analytiques des produits peuvent subir des modifications sous l'effet du changement climatique. Les vins par exemple, ont vu ces dernières années dans la plupart des bassins viticoles leur taux d'alcool progresser avec dans le même temps une diminution des niveaux d'acidité.

Pour beaucoup de produits sous IG, les volumes de production ont tendance à être plus fluctuants sous l'effet de la fréquence accrue d'évènements climatiques exceptionnels tels que le gel, la sécheresse ou la grêle. Ainsi, le gel très marqué ayant frappé quasiment tous les vignobles en 2021, à la fin du mois d'avril, s'est traduit par une baisse globale de production d'environ 20% par rapport au millésime précédent. La production fruitière sous IG (Mirabelles de Lorraine, Pruneaux d'Agen,…) est également régulièrement marquée par des chutes de production en lien avec les aléas climatiques. Les filières d'élevage sont quant à elles régulièrement confrontées à des pénuries de fourrage, en lien avec les irrégularités croissantes des précipitations qui se traduisent notamment par une fréquence accrue des sécheresses de printemps.

Le changement climatique induit aussi de fortes évolutions dans les calendriers des cycles végétatifs et des opérations culturales. Les filières d'élevage reposant fortement sur le pâturage pour l'alimentation des animaux sont très exposées à ces évolutions, avec en particulier des mises à l'herbe de plus en plus précoce après l'hiver, mais également des pics de température estivale pouvant empêcher une sortie des animaux dans la journée. Une autre illustration de l'effet du réchauffement global sur les cycles culturaux est fournie par la viticulture et la vendange, dont la date a avancé en moyenne de 18 jours entre 1974 et 2019 en France et approche les 30 jours dans certains vignobles.

Enfin on peut observer que le dérèglement climatique a tendance à augmenter les risques sanitaires en production végétale (pression accrue de maladies fongiques, renforcement des dégâts de certains ravageurs). Dans les élevages laitiers, les périodes de forte chaleur peuvent affecter négativement la physiologie des animaux en réduisant leur production de lait.

ADAPTER SANS REMETTRE EN CAUSE LE LIEN A L'ORIGINE : UNE DIFFICILE EQUATION POUR LES IG

Les différents programmes de recherche menés ces dernières années sur le changement climatique dans le secteur agricole ont permis de documenter précisément ses effets actuels et futurs, à des échelles de plus en plus fines, et de proposer des solutions techniques d'adaptation à court, moyen et plus long terme. En production végétale, comprenant les fourrages, un des leviers majeurs réside dans la diversification des ressources génétiques et le développement de variétés plus résilientes, capables en particulier de produire en conditions plus chaudes et plus sèches. En élevage de plein air, les préconisations d'adaptation s'appuient principalement sur de nouveaux modes de gestion des pâturages, une réduction de la charge à l'hectare, des bâtiments d'élevage repensés et une diversification des cultures fourragères. L'introduction de nouvelles races dans un troupeau peut également être envisagée.

Même si elles s'appuient sur des modèles en phase avec leur milieu naturel ne recherchant pas l'intensification, les productions sous IG peuvent nécessiter des évolutions de pratiques pour maintenir la viabilité économique des exploitations concernées.
Or, les règles de production inscrites dans les cahiers des charges (inhérentes au lien à l'origine) limitent les possibilités de modifier facilement certaines de ces pratiques.

Parmi les éléments codifiés dans les cahiers des charges pouvant limiter les changements rapide de pratiques, on peut citer : les ressources génétiques (liste limitée de variétés ou races admises), l'interdiction ou le strict encadrement de l'irrigation pour des IG de filières végétales, la durée minimale de pâturage extérieur pour des IG fromagères, des périodes imposées pour certaines opérations culturales ou de gestion du troupeau, le rendement maximum par hectare et le choix des parcelles en AOP vitivinicoles (liste de parcelles classées pour la production des raisins).

DES PROCEDURES ET OUTILS DISPONIBLES POUR FAIRE EVOLUER LES CAHIERS DES CHARGES

Même s'il reflète des usages et savoirs faire traditionnels, le cahier des charges d'une IG doit pouvoir évoluer après l'acte initial de sa reconnaissance officielle. La condition de base pour qu'une modification puisse être approuvée étant qu'elle ne dénature ou n'affaiblisse pas le lien à l'origine du produit.

Toute demande de modification, nécessairement issue de l'ODG, est examinée et analysée par l'INAO suivant une procédure faisant intervenir différents acteurs. Si elle est validée, le cahier des charges révisé sera homologué suivant le même schéma formel qu'une reconnaissance, aux niveaux national et européen.

Concernant les modifications induites par le changement climatique, on peut en distinguer deux grands types :
-des demandes ponctuelles, consécutives à un évènement climatique exceptionnel ne permettant pas de respecter certaines exigences techniques du cahier des charges (modifications temporaires)
-des demandes de nature structurelle, visant à ajuster certains éléments générateurs récurrents de modification temporaire (ajout de la possibilité d'irrigation par exemple) ou à faciliter les adaptations aux nouvelles contraintes (par l'introduction de variétés mieux adaptées aux conditions sèches et températures élevées).

Dans les filières agroalimentaires et depuis plusieurs années, de nombreuses modifications de cahiers des charges trouvent leur origine dans une prise en compte des effets du dérèglement climatique. C'est ainsi que beaucoup de cahiers des charges ont été modifiés pour supprimer les durées ou dates calendaires fixes encadrant certaines étapes de production, pour modifier le calibre minimal de certains fruits ou légumes, pour améliorer l'autonomie alimentaire des exploitations. De même, les filières se sont organisées pour gérer collectivement les aléas climatiques : bourses aux fourrages, augmentation des stocks pour gérer les aléas, baisse des densités ou des chargements…

Au niveau du vignoble, pour anticiper les conséquences du dérèglement climatique, l'INAO a entériné une procédure permettant aux AOC viticoles volontaires de planter des variétés dont les caractéristiques laissent supposer une capacité d'adaptation aux futures conditions tout en maintenant une production répondant aux caractéristiques de l'AOC. Cette procédure permet d'observer sur des superficies limitées à 5% de la superficie des exploitations des variétés d'intérêt à fin d'adaptation (VIFA) et leurs vins durant une période de 10 ans chez les producteurs volontaires, dans une démarche participative. A l'issue de la période d'observation l'ODG aura alors à se prononcer sur le maintien ou non de chacune de ces variétés dans son cahier des charges.

En conclusions, il existe aujourd'hui différents leviers qui peuvent être actionnés pour répondre aux défis que pose le dérèglement climatique à l'échelle d'une IG. Mais les solutions doivent garantir un équilibre entre préservation du lien à l'origine, rapidité de mise en œuvre et viabilité économique. La mobilisation de tous les acteurs (opérateurs et ODG, chercheurs, administrations) est dans ce contexte indispensable pour pérenniser le système des IG.

GI Products Based on Agrobiodiversity Resources: Which Quality Signs?

Sara Gabellini, Giovanni Belletti, Andrea Marescotti, Silvia Scaramuzzi[1]

Abstract
Geographical indications (GIs) based on agrobiodiversity genetic resources are attracting an increasing interest of both researchers and institutions. Nonetheless, the literature debate on the identification of potential and limits of quality signs favoring a coherent and collective management of endangered landraces and landrace-based agrobiodiversity products is still in its infancy.

The paper aims to understand the role of denominations of origin and other quality regimes as potential tools to support the development of sustainable and multifunctional agrobiodiversity-oriented localized food systems, based on the virtuous valorization of underutilized or neglected landraces and related traditions. From a theoretical point of view, we adapt the socio-ecological systems model for the analysis and characterization of agrobiodiversity-oriented food systems by Scaramuzzi et al (2021). A participatory action–research approach was followed for the case study analysis, involving both public and private stakeholders. Results provide relevant insights on the potential and limits of the use of denominations of origin, collective and other specific public marks for the identification and protection of GIs based on landrace-based agrobiodiversity products.

Keywords: **Geographical Indications; Agrobiodiversity Products; Quality Signs**

Introduction

The international and European literature and institutional contexts are fostering the restoration, conservation, and valorization of underutilized or neglected landraces and related cultural heritage as the foundation of a new paradigm for agro-ecological transition and rural territorial development (Chable et al., 2020; Vermunt et al., 2020). Agrobiodiversity is gaining increasing consideration from policymakers as part of the objectives of the overall EU Green Deal and the related Biodiversity 2030 strategy.

Geographical indications (GIs) based on agrobiodiversity resources are attracting an increasing interest of both researchers and institutions. Nonetheless, the literature debate on the identification of potential and limits of quality signs favoring a coherent and collective management of endangered landraces and landrace-based agrobiodiversity products is still in its infancy (Santilli, 2012; Lalitha and Vinayan, 2018).

The paper aims to understand the role of the registration of GIs through PDO and PGI and other quality regimes as potential tools to support the development of sustainable and multifunctional agrobiodiversity-oriented localized food systems, based on the virtuous valorization of underutilized or neglected landraces and related traditions.

From a theoretical point of view, we adapt the socio-ecological systems model for the analysis and characterization of agrobiodiversity-oriented food systems by Scaramuzzi et al (2021).

Methodology

In terms of methodology, we conducted a comparative analysis of illustrative and representative case studies (Poteete, 2010), involving the localized agri-food systems of three threatened plant landraces cultivated in Tuscany (Italy): the Valtiberina Red Onion, the Cherry of Lari, and the Maize Formenton Ottofile of Garfagnana. Italy represents a virtuous country case, due to its commitment in the realization of an integrated National policy framework on agrobiodiversity, that functionally interlinks the goals of environmental protection with the ones of rural territorial development. Significantly, the new specific National Law 194/2015 considers the potential role of both existing quality regimes and innovative dedicated tools for the protection and valorization of GI products based on agrobiodiversity resources. Tuscany Region played as a pathfinder in this field, with the specific Regional Law 64/2004 and Regional Regulation 12/2007, that functioned as a reference model for the new national system.

A participatory action–research approach was followed for the case study analysis, involving both public and private stakeholders (Kindon et al., 2007). Qualitative methods were adopted, resulting in the combination of secondary data and literature with the results of in-depth interviews and focus groups (Patton, 2002; Wang et al., 2017).

Results

Results provide relevant insights on the potential and limits of the use of PDO-PGIs, collective and other specific public marks for the identification, protection, and valorisation of products based on landrace-based agrobiodiversity.

The application of the theoretical model to the case study analysis allowed to characterize and evaluate the public-private initiatives implemented for the re-

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covery, conservation and sustainable use of threatened landraces, in the light of quality valorisation virtuous circles of agrobiodiversity resources.

Specifically, the model leads to identify and analyse evolving action processes concerning: the identification of threatened local genetic resources and related territorial linkages (registration to dedicated Regional Repertories and National Registry of agrobiodiversity resources); the activation of dedicated and publicly controlled networks of *custodian farmers* and *Germplasms Banks* in charge with the landraces conservation and agricultural restoration; the qualification and fair remuneration of GI products based on agrobiodiversity resources, by the adoption of PDO-PGI and other quality regimes, in both small-scale landrace-based niche markets and large-scale integrated supply chains. With reference to this last stage, Table 1 reports a synthesis of the GI products valorised in the three analysed cases, together with adopted qualification tools, and implemented governance settings.

Table 1. Qualifying GI products based on agrobiodiversity resources: evidences from three case studies

GI product	Quality regimes and identification marks	Governance settings
Valtiberina Red Onion (1 endangered variety typical of the area of Valtiberina)	• Collective marketing strategy for the creation of a logo and claim identifying the onion and its belonging to the Tuscany Region system for the protection and valorization of agrobiodiversity resources	Informal agreements among farmers and supply chain operators regulating the use of the logo and claim
Maize Formenton Ottofile of Garfagnana (1 endangered variety typical of the area of Garfagnana)	• Creation of a collective mark • Registration of the landrace to Tuscany Region Register of Traditional Agri-food products (PAT) • Inscription to the Slow Food International "Ark of Taste" directory	Formal (Protection Committee)
Cherry of Lari (13 endangered varieties typical of the area of Lari)	• Inscription to the National Register for the commercialization of fruit varieties • Application for a PGI (ongoing process)	Formal (Protection Committee)

Source: Our elaboration on direct survey results

Discussion and Conclusions

The case study analysis evidences very diverse solutions adopted by the local actors to signal the quality attributes of their agrobiodiversity products. It allows to understand the opportunities and constraints of adopting PDO-PGI and other quality regimes for the development of sustainable and multifunctional agrobiodiversity-oriented food systems based on underutilized or neglected landraces protection and valorization. We highlight in particular:

- The importance of identifying and qualifying landrace-based agrobiodiversity products as GIs, thus favouring the market appreciation, social recognition, and fair remuneration of all the interest at stakes, in the conservation and sustainable use of endangered landraces;
- The necessity of realizing collective management mechanisms and multistakeholder governance settings, leading to the implementation of quality regimes;
- Significantly, the necessity of adapting qualification tools and marketing strategies to the different level of marketability of involved landraces and realized GIs, e.g.:

  i. registered GIs, as PGI or PDO, are better for sustaining the traceability and upscaling of localized food systems based on agrobiodiversity resources that are adequate for large-scale cultivation and modern distribution; to that regard, even the registration of landraces as "conservation varieties" to National Registries for plant commercialization is a valuable solution for GIs qualification;

  ii. the abovementioned inscription of landraces to national commercialization registries, together with the creation of dedicated collective marks could be good solutions for the protection and valorisation of low-marketable landraces, in order to develop high-value niche markets and realize and trace short integrated supply chains; to this respect the case studies highlight a potential for participatory guarantee systems (PGS);

  iii. lastly, the provision of a new public National mark for producers, identifying them as "custodian farmers". This is considered as an innovative tool for supporting the qualification and remuneration of *on farm* conservation activities, thus incentivizing the recovery and keeping by local farmers even of those resources with no current market value.

In light of the above, policy makers should on the one side harmonize specific policies and legislation on agrobiodiversity, at both national and local level, with the public jurisdiction over traditional agri-food products, on the other side sustain custodians, supply-chain operators and other interested actors (e.g., associations, researchers, etc.) in creating sound collaborations intended to appropriately qualify and fairly remunerate marketable landraces.

We expect our research can support both literature and institutional debate to corroborate the role of GIs in addressing evolving processes of biodiversity-oriented agro-ecological transition and sustainable development, considering a fair representation, equal protection, and balanced satisfaction of the interests at stake.

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Climate change effects and the responses of the agri-food GI agents: Evidence from the Veneto Region (Italy)

Dana Salpina, Francesco Pagliacci[1]

***Abstract* – Climate change is changing environmental conditions of some terroirs on which geographical indications (GIs) rely. Based on the case study of the Veneto Region in Italy, this research aims to understand whether these effects are common to different types of agri-food GIs and how GI agents are responding to climate change effects. The research adopts a mixed-method approach, based on 14 semi-structured in-depth interviews with key informants and online survey. The results draw on different levels of concerns and responses to climate change, which vary in relation to the type of GI and crop systems.**

***Keywords* – geographical indications, agri-food systems, climate change responses, Veneto.**

Introduction

Geographical indications (GIs) are important livelihood for millions of smallholder farmers and rural communities across the world (FAO, 2018). However, there is alarming evidence that climate change (CC) is altering some of the fundamental characteristics of local *terroirs* on which GI systems rely, hence affecting productivity and profitability of farms (Clark and Kerr, 2017). GI producers might suffer from the stringent regulations that can limit the adoption of new strategies to cope with CC hazards. This situation raises unprecedented questions for both producers and for GIs managing authorities: *Are these effects common to different types of agri-food GIs? And how GI agents are responding to CC effects?*

Despite an abundance of studies addressing the local adaptation strategies within agri-food sector (e.g., Ahmed et al., 2021), little attention is paid to GI systems. Such studies focus mainly on wine GIs. Using a mixed-method approach, this study aims to provide evidence of the responses of the agri-food GIs agents to CC effects in the Veneto region.

Methods and Data

Case study. The Veneto region in Northern Italy hosts a large portion and variety of the Italian agri-food GIs, both in terms of number of certifications (36 GIs in total) and in terms of product types (i.e., cereals, fruits and vegetables, meat and cheeses).

Data collection. A mixed-method approach is adopted, based on 14 semi-structured in-depth interviews with key informants and online survey involving 77 producers. For interviews, a subsample of 11 agri-food GIs was used, including 3 animal-based Protected Denominations of Origin (PDOs), 3 crop-based PDOs, and 5 crop-based Protected Geographical Indications (PGIs) (Table 1). The subsample is representative of the large heterogeneity of agri-food GIs in Veneto, according to some key features such as GI type, revenue, registration year, and share of production in Veneto (Salpina and Pagliacci, 2021).

Table 1. Subsample of GIs (semi-structured interviews)

GI (short names)	Scheme [a]	N. oper [b]	Prod area ha [b]	Prod. cycle [c]	Type [d]
Asparago B.	PDO	56	14	03-06	AC
Ciliegia M.	PGI	121	58	03-08	PC
Fagiolo L.	PGI	81	12	05-09	AC
Monte Veronese	PDO	140	3093	All yr.	AB
Radicchio Ch.	PGI	32	97	12-07	AC
Radicchio T.	PGI	114	303	06-12	AC
Riso N.V.V.	PGI	28	524	04-10	AC
Olio Veneto	PDO	290	371	03-01	PC
Casatella T.	PDO	70	1427	All yr.	AB
Piave	PDO	180	NA	All.yr.	AB
Marrone S.Z.	PDO	29	52	03-11	PC

[a]Mipaaf; [b]Qualigeo (Qualivita) data; [c]data from Production Specifications (PS); [d]AC-annual crop, PC-permanent crop, AB-anima-based.

The interviews were conducted both face-to-face and remotely, and lasted around 25-40 min. Key informants, including Consortia (i.e., GI managing authorities) and producers' organisations (POs) were selected based on purposive sampling.

For online survey, all agri-food GIs produced in the region were considered. The survey was sent only to producers, whose contacts were provided by Consortia or available in online databases. The survey – which was elaborated using LimeSurvey platform – included multiple choice and 5-point Likert scale questions.

Data analysis. All interviews were transcribed *verbatim* and coded via RQDA – an open-source computer-assisted qualitative data analysis (CAQDAS)-based R Extension (Huang, 2016). A hybrid process of inductive and deductive thematic analysis was adopted (Fereday and Muir-Cochrane, 2006). The observations of key informants on effects and responses

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to CC were grouped into broader categories and used in online survey targeted to producers within a larger sample of GIs. The survey responses were analysed aggregately.

Results and Discussion

Key informants reported multiplicity of observations, which are both directly (e.g., decreased precipitations) and indirectly related to CC (e.g., new plant diseases). These observations were merged into 8 general groups (Fig. 1).

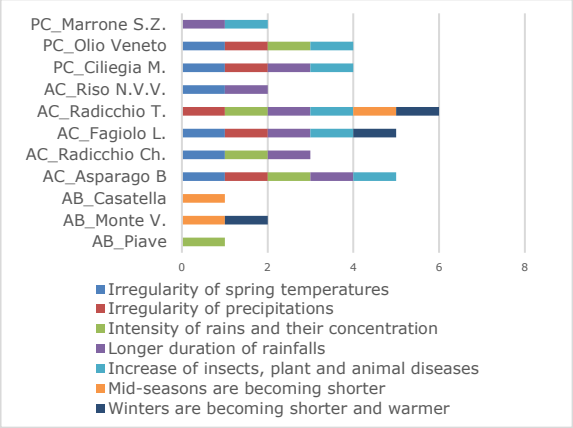


Figure 1. CC observations reported by GI key informants

Greater intensity and duration of rainfalls are common CC observations among all types of GIs. However, the largest variety of CC observations were reported by crop-based GIs.

The main CC effects perceived by key informants were assessed by a larger sample of GI producers (Fig. 2). They reported the largest concern for the quantitative and qualitative reduction of productions.

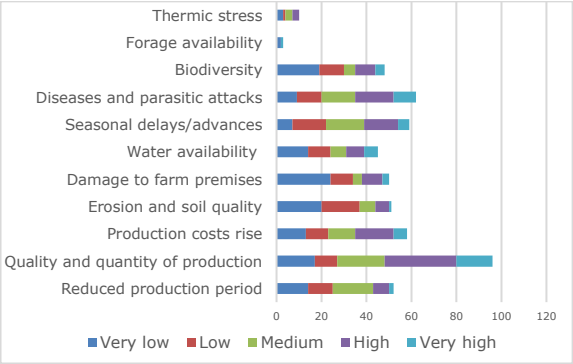


Figure 1. CC effects evaluated by producers of GIs

In terms of responses to CC, 74% of survey respondents have already adapted or are planning to adapt to CC effects, mostly relying on private (55%) and public funds (39%). As compared to animal-based GIs, agents of crop-based GIs reported a larger amount and diversity of responses to CC (e.g., use protective covers, new irrigation systems, change of production processes), which is in line with previous study by Bradley et al. (2020) attesting that CC risk perception enhances the levels of CC response.

Overall, at farm level, the responses of GI agents to CC effects might be not so different from producers of non-GI crops (Bonzanigo et al., 2015). However, the main peculiarity of GIs relies on the responses at the GI system level. Thus, among all types of GIs, Consortia have already introduced some modifications to product specifications directly referred to CC effects, such as the temporary extension of forage production area, introduction of new plant varieties, and shift of harvesting period. Also, few anticipatory methods were highlighted by Consortia and POs, including the provision of advisory support to farmers based on phenological stages of crops and data from ad-hoc meteorological stations.

Concluding Remarks

The essence of this study was to provide evidence of the responses of the agri-food GIs agents to CC effects in the Veneto region. The results showed different levels of concern and responses to CC, which vary in relation to the type of GI (animal-based/crop-based) and crop systems (annual/permanent crops). The results can be used by decision-makers in drafting the regional adaptation strategies.

The survey gave important insights on the responses of GI agents to CC effects. However, future studies will consider a larger sample of GI agents to guarantee statistical significance of the survey.

Acknowledgement

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F. Lien à l'origine : savoir-faire traditionnel ou innovation ?

DOCaMEx : Capitaliser les Savoir-Faire

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Résumé - Le projet DOCaMEx (Développement de prOgiciels de Capitalisation et de Mobilisation du savoir-faire et de l'Expérience fromagers en filières valorisant leur terroir) s'est attaché à trouver comment collecter au mieux les savoirs et savoir-faire fromagers et de quelle manière les structurer pour les rendre durables, évolutifs, transférables et accessibles aux acteurs actuels et futurs des filières fromagères traditionnelles. Des outils informatiques adaptés – livre de connaissance et moteur de raisonnement - ont été créés pour capitaliser, à l'échelle d'une filière sous IG, l'expérience fromagère des praticiens (fromagers) ainsi que l'expérience technique et les connaissances scientifiques (techniciens fromagers, chercheurs). Ces outils ont été conçus pour intégrer une grande diversité de supports, sources et données (publications, études techniques, vidéo, enregistrements sonores, …) afin de restituer au plus juste la diversité des savoirs et savoir-faire collectés. Ils permettant également une prise en compte des retours d'expérience des utilisateurs et de les capitaliser. Les outils informatiques construits ont été déployés au travers d'une plateforme sécurisée accessible en ligne, à destination des responsables des filières, des techniciens et des fromagers.

Mots clés – Savoir-faire, Ingénierie des connaissances, Transmission, Formation, Durabilité, Outil collaboratif.

Introduction

Les filières fromagères sous Indications Géographiques (IG) sont issues d'une longue tradition de transmission orale et d'apprentissage « au pied de la cuve » des savoirs et savoir-faire qui les constituent. Des évolutions comme le renouvellement des opérateurs, la mécanisation voire l'automatisation de certains procédés, l'absence de formalisation de certains usages, fragilisent fortement la préservation et la transmission de ces savoir-faire.

La durabilité des filières fromagères valorisant leur terroir passe donc par la pérennisation des savoirs et savoir-faire fromagers avec une montée en compétence des personnels qui les accompagnent (techniciens et formateurs). Le développement des outils numériques permet aujourd'hui d'envisager l'exploitation de grandes bases de connaissances ouvrant de nouvelles perspectives de gestion des données de l'expérience.

L'objectif du travail mené est donc i) de construire une méthodologie de recueil et de structuration des connaissances qui soit adaptée au contexte des IG et à la prise en compte de leur diversité, ii) de construire des outils informatiques capables de valoriser et rendre accessible de manière durable ces connaissances, iii) de prouver la transférabilité de ces méthodes et outils au plus grand nombre.

Materiels et Methodes

Dans le but de pouvoir couvrir la diversité des champs scientifiques liés au projet, un consortium de 20 partenaires a été constitué, regroupant des filières fromagères sous IG, des écoles nationales d'industrie laitière, des centres techniques et des unités de recherche des Universités, INRAE[2] et CNRS[3].

Développement des méthodes de recueil et de structuration

En complément des méthodes de recueil déjà appliquées classiquement (étude de la bibliographie, entretiens individuels ou collectifs), la méthode de la didactique professionnelle a été explorée afin d'investiguer plus en détail le sens porté par les gestes professionnels. Cette méthode considère que le discours des personnes sur leur propre activité ne suffit pas à comprendre les chemins empruntés dans leurs raisonnements (Chrétien et al, 2020). Elle consiste à faire une analyse de la gestuelle de l'action pour en déterminer le sens.

La structuration de l'ensemble des connaissances collectées s'est ensuite effectuée sous deux formes : un livre de connaissances pour les informations documentaires, image, son… et des arborescences de raisonnement pour les informations intégrant des mécanismes explicatifs. Le livre de connaissances permet de structurer les informations sous forme de cartes conceptuelles (c-map), de graphes d'influence et de fiches de connaissances. La structuration d'arborescences de raisonnement s'est appuyée quant à elle sur la méthode système expert (Cretin-Maitenaz, 1991) améliorée des expériences de chacune des filières et des centres techniques associés. La méthode consiste à interroger l'expertise des professionnels sur les éléments de raisonnement pouvant expliquer l'apparition de défauts ou l'élaboration de certains critères de qualité des fromages. La structuration des données intègre ensuite les mécanismes explicatifs fromagers tout en représentant des relations de cause à effet entre les descripteurs et les leviers d'intervention normale ou corrective.

Développement du progiciel opérationnel

Deux outils informatiques interconnectés et accessibles au travers d'une même plateforme web ont été

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[3] CNRS : Centre national de la recherche scientifique

créés afin de rendre mobilisable rapidement les données structurées.

Le logiciel MakeBook a été développé (Ndiaye et al., 2010) et a été adapté au contexte des filières fromagères pour obtenir un outil électronique hypermédia basé sur des documents prédéfinis (c-map, fiches de connaissance, graphe d'influence) assemblés en réseau sémantique hypertexte.

A partir d'un logiciel prototype, les équipes ont en parallèle pu développer un moteur de raisonnement appelé Capex (Buche et al., 2019) qui permet d'intégrer directement les arborescences créées par les professionnels (la traduction en règles logiques et l'intégration dans l'outil ont été automatisées). L'expertise de l'outil est renforcée par la mise en place d'indicateurs de fiabilité et d'efficacité des leviers.

Adaptation des outils aux besoins des utilisateurs

Via plusieurs scénarii d'utilisation identifiés avec les filières, le cahier des charges des spécifications fonctionnelles a été travaillé et testé avec elles en lien étroit avec les équipes informatiques en charge du développement du progiciel. Une réflexion sur les différentes modalités de valorisation de l'outil est également instruite avec pour ambition de faciliter son déploiement au sein des filières sous IG, des écoles puis auprès d'autres filières et entreprises laitières.

Resultats

L'ensemble des méthodes et outils développés ainsi que la confrontation régulière de ceux-ci aux utilisateurs finaux ont permis de développer une plateforme hébergeant et interconnectant les deux outils présentés et répondant aux attentes des utilisateurs (Fig.1). Ces outils disposent chacun d'une version dénommée « socle » qui regroupe les connaissances génériques de la transformation fromagère (toutes filières confondues) et de versions « filières » déclinées et adaptées pour chaque filière sous IG qui reprennent quant à elles les connaissances spécifiques des filières concernées. Les données sont sécurisées par des niveaux d'accès et des droits adaptés à chaque public. L'accès aux données « socles », les guides méthodologiques et les référents formés permettront à toute nouvelle filière souhaitant créer son propre outil de construire ses données spécifiques filières plus rapidement.

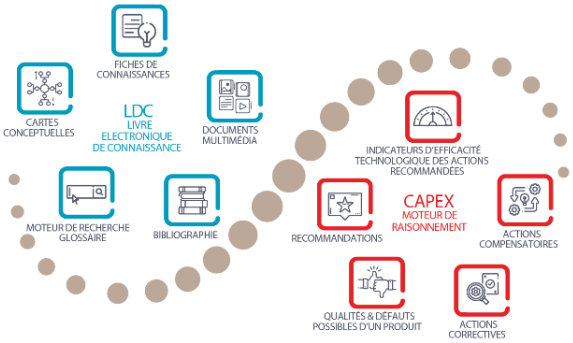


Figure 1. Interconnexion des outils DOCaMEx

Discussion

La création et le déploiement de la plateforme DOCaMEx permet de mettre à disposition des filières sous IG et entreprises un outil global et performant de capitalisation et mobilisation des connaissances (Notz et al., 2022). Celui-ci est aujourd'hui un support de la formation initiale et continue des fromagers, un outil d'aide au raisonnement technologique pour l'amélioration de la qualité des productions et un outil de médiation et d'échange technologique intra et inter filières.

Pour les filières dans une démarche d'inscription sous IG un outil comme DOCaMEx a tout son intérêt : la phase de recueil des connaissances permet à la filière d'identifier les savoir-faire clés de voûte du collectif et l'étape de structuration des connaissances fournit les premières bases de l'écriture d'un cahier des charges. Mais, au-delà de ce processus, l'implication dans DOCaMEx permet à une filière de mobiliser ses opérateurs autour d'un projet collectif dont l'aboutissement est la prise de conscience et la formalisation d'un patrimoine collectif à préserver.

Pour les membres du consortium, l'enjeu est à présent d'adapter et de déployer à un maximum de filières fromagères cette plateforme numérique, pour en assurer sa pérennité économique et fonctionnelle. Et, pourquoi pas, participer à l'élargissement de la démarche aux filières agro-alimentaires où ces problématiques de capitalisation et de transmission des savoirs et savoir-faire sont également prégnantes.

Remerciements

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[4] Compte d'affectation spécial « développement agricole et rural »

Geographical indications as the engine of traditional communities' rights

Astrid Wiedersich Avena[1]

Abstract **– Geographical indications (GIs) have often been pointed out as the legal instrument which more than others could be able to protect traditional knowledge and contribute to the growth of local communities. Besides leading to economic advantages, GI schemes are also capable of protecting cultural heritage, as well as contributing to hamper over-industrialization and impoverishment of rural areas. This paper focusses on the sustainability effects arising from GIs policies such as, in particular, the promotion of environmental sustainability. The analysis of literature and empirical case-studies in developing countries will explore how *sui generis* GIs protection systems may involve local actors to develop and implement quality assurance schemes to preserve biodiversity and more sustainable production systems. The results show that in developing countries GI schemes may have a positive impact if accompanied with adequate public policies aimed at empowering local traditional communities involved in the GI production chain. Furthermore, it is of pivotal importance that product specifications include certain ecosystem conditions as essential for the GI production.**

Keywords **– geographical indications; traditional knowledge; sustainability; environmental impact.**

Introduction

Geographical indications (GIs) are a legal instrument protecting the outcome of physical and human interactions in a certain territory, where such interaction is able to characterize the production of certain goods.

As such, GIs have been pointed out as a valuable tool to protect local resources and traditional knowledge. Indeed, GIs are capable of stimulating the increase of sustainability and the labor market, as well as contributing to hamper depopulation and impoverishment of rural areas. Economic advantages are also achieved by raising consumers' attitude towards traditional crafts and tourism in local areas.

While socio-economic advantages of GIs have been widely explored by IP literature, less attention has been given to environmental sustainability effects arising from GIs policies. The hypotesis that GIs are a tool for enhacing environmental-friendly production rules, taking into account local specificities, is mainly based on theoretical assumptions, grounded on the concepts of *terroir* and agricultural multifunctionality (Zattoni and Cazella, 2021), but not always supported by empirical evidence.

A study conducted on the Japanese case of "Mishima Bareisho Potato" GI has evidenced, on the basis of interviews and participatory observation of local producers, that such GI can contribute to at least nine Sustainable Development Goals (SDGs), among which "affordable and clean energy", "biodiversity" and "responsible consumption and production" at all the production stages. Small environmental load in traditional production processes and the motivation of farmers to preserve local specialties are crucial in reaching these goals. But are these assumptions also true for GIs of developing countries?

This contribution will explore how *sui generis* GIs protection systems may support the preservation of natural resources and certain environmental conditions which have been essential in the development of traditional products in the global south.

The US constitution defines copyright as "the engine of freedom of expression". Could GIs represent the engine of traditional communities' rights? This question is answered by identifying concepts, trends, and empirical examples pertaining to the impact of GIs on the protection of environmental sustainability, understood as preservation of natural resources and local traditions.

Methods used

A systematic review of the literature, studies, and legislative texts on quality schemes in general, and applied to GIs' effects with respect to environmental sustainability, has been carried out. This paper is based on qualitative and comparative analysis of information extracted from these data.

Since the majority of scientific studies have as object European GIs, the preliminary outcomes of the desk research were completed with the analysis of the practical cases of the GIs "Madd de Casamance" (Senegal), "Tequila" (Mexico) and "Cao Phong Orange"(Vietnam).

Results

It is widely accepted in literature that GIs have a positive influence on environmental sustainability. In particular, the main identified positive effects are: the conservation and valuing of natural landscapes, the maintenance of the biodiversity associated with these landscapes (Zattoni and Cazella, 2021, Tashiro et al., 2019; Bowen, 2010); the hindering of productive intensification and maintenance of traditional productive techniques, (Belletti et al., 2015; Bowen, 2010a;); the decreased use of pesticides and chemical fertilizers (Belletti et al., 2015; Tashiro et al.,2019).

Larson (2007) analyzed the environmental performance of GIs and studied 11 cases in "developed countries" and 13 cases in "developing and transforming countries". The author observed

that negative or contradictory environmental effects were more observed in developing countries because of the lack of adequate institutional policies.

In such respect, the "Tequila" case provides for a useful lesson on how GI protection may not lead to positive environmental effects if i) the product specification does not contain a clear reference to environmental standards or sustainable cultivation techniques, and ii) there are no adequate policies to ensure participation of local producers in the elaboration of production standards and in the management of the GI. Since Tequila is the oldest non-European GI, the importance of such elements was underestimated and led to productive intensification to the advantage of traders rather than to local producers.

The empirical case of the "Madd de Casamance" GI in Senegal is, on the other hand, an interesting example of how GIs can positively impact on environmental sustainability. In order to register the GI, local producers established a formal association to develop and implement a quality assurance scheme, to ensure that the fruits are harvested under specific conditions and meet certain required standards. In this case, local producers acknowledged the importance of preserving the environment in which the fruits grow and have agreed on clear methods of land exploitation to maintain the integrity of the original forest ecosystem.

The analysis of qualitative data on the "Cao Phong Orange" GI, carried out by Hoang et al. (2020), revealed that the natural environmental condition of the production area improved since the GI registration. The lobbying activities of the local authorities in the Hoah Binh province succeeded in raising the awareness among orange growers that the quality of the products is intertwined with the conservation of natural resources – thus stimulating conservation of landascape properties.

Conclusions

In the light of the results emerged from the present analysis the following conclusions can be drawn.
First, GIs are a valuable tool to sustain efforts to increase environmentally sustainable practices, which might normally be difficult to achieve in developing countries. Second, the empirical analysis shows that if product specifications do not provide for explicit *terroir* preservation and cultivation requirements, GI protection may have not only a limited impact on environmental sustainability, but could also harm traditional communties' interests.

Third, producers of GIs in developing countries face different constraints than actors of European GIs production chains, due to fragile institutional settings. If implemented through appropriate public policies that ensure the primary role of local communities in the elaboration of sustainability standards, GIs could play a pivotal role in traditional communities' rights. Even if GIs are not an environmenal tool *per se*, they can play an important role in preserving natural resources were traditional communities have developed their knowledge. Such preservation goes hand in hand with GI policies that promote awareness and participation of local farmers.

Therefore, local legislators should take these elements into consideration in order to develop a sustainability strategy able to render GIs a valuable engine for traditional communities' rights and the preservation of their ecosystems.

Acknowledgement

I would like to thank the Organization Committee for providing all the participants with the opportunity to explore new perspectives on geographical indications.

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Comparison between Geographical Indication red rice in India and Thailand: Regulations and practices

Orachos Napasintuwong, Chitra Parayil, Radhika, A.M. [1]

***Abstract* – To provide implications for the sustainability of GI products as a means to protect property rights of traditional knowledge and local resources in developing countries, this paper aims to compare and contrast GI rice system in India and Thailand. Khao Sangyod Muang Phatthalung from Thailand and Navara rice from India are selected for the case study. Both are GI red coloured rices that have high nutrition and are being consumed as part of cultural and traditional cuisine. The findings from the comparative study suggest that although GI registration generates benefits to farmers especially on selling price, but the control system and certification system will need to be improved to provide quality assurance to consumers at reasonable cost. Market recognition of GI products especially in the international markets could be promoted to generate more benefits to farmers.**

Keywords: Navara rice, Khao Sangyod Muang Phatthalung, red coloured rice, India, Thailand

Introduction

India and Thailand are two important exporters of rice and possess several premium quality rices such as Basmati and Hom Mali. Nevertheless, the competition in the world market of quality rice is increasing with emerging competitors. To distinguish the products from competitors, GI is one of the ways to protect the property rights of rice production. Both countries are endowed with rich biodiversity and have high potentials to benefit from GI registration. The concept of GI in these countries is tightly interwoven with traditions, practices and know-how of rural lives. The strategy of building an image of quality for a class of products made in a certain area can help our indigenous agricultural products achieve consumer acceptance quickly and can also help our resource poor farmers command premium price. India and Thailand initiated GI laws that came into force in 1999 and 2003, respectively. As of 2021, India has registered 14 GI rices while Thailand has registered 17 GI rices in the domestic market. While Thailand has successfully registered two of its local rices in the EU market, namely Hom Mali Thung Kula Rong-Hai in 2008 and Khao Sangyod Muang Phatthalung in 2013, India successfully registered only one, that is Basmati rice in 2018.

This paper compares and contrasts GI system and production of two GI rices. In Thailand, Khao Sangyod Muang Phatthalung is selected as it is the first PGI rice outside of the EU territory registered by the European Commission. Navara rice is selected for the India case for its first recognized GI rice in India. Previous studies have shown that the beneficial effects of GI depend strongly on the quality of the supply chain governance and on the elements of the code of practices (Radhika et al., 2021a).

Sangyod rice is popularly cultivated in Southern Thailand, but the registration of GI Sangyod rice is confined to Phatthalung province. The GI registration improves profitability of farmers in the GI area (Petruang and Napasintuwong, 2022). There are three control systems of GI rice in Thailand: self-, internal-, and external (Napasintuwong, 2019). The certification of PGI for EU market requires external control which is much more costly but subsidized by the government. The certification of Thai GI, on the other hand, is far less expensive but only good for domestic market. Either certification, however, does not show benefits for improving farmer's profitability.

Navara rice is being cultivated in nine districts, *viz*., Palakkad, Malappuram, Calicut, Wayanad, Kannur, Trichur, Ernakulam, Kottayam and Alleppey of Kerala state. It is a medicinal rice and is one of the native genetic resources of Kerala, famed for its use in Ayurveda. As it seems to have originated in a limited area and has not spread appreciably (as its cultivation and use is confined to Kerala), it can be considered as endemic crop. Despite investments in registration and marketing, GI has not yet yielded results due to higher cost of production, lower yield, lower profit margins, inaccurate marketing and passing off.

Materials and Methods

Data

The data required for the study was collected from Thailand (for 2019/20) and India (for 2019/20). Sangyod rice case was collected by a 2-stage stratified sampling method based on suitable area of production, and certification standards including GI, organic, GAP and non-certified farmers' groups. A face-to-face interview was conducted for 304 farms in Phatthalung province, the registered GI area. Among them, 41 are certified farms. In the case of Navara rice, data was collected randomly from 40 organic rice farmers in Palakkad, Malappuram and Ernakulam districts of Kerala by direct interview.

Results and Conclusion

The practices and regulations of two cases are shown in Table 1. In Kerala, Navara organic rice production has gained popularity but the rate of expansion has been relatively slow. Navara cultivation does not use any inorganic fertilizers and other agro-chemicals since it is expected to affect the medicinal properties. In Phatthalung, either Good Agricultural Practice

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(GAP) or organic is required for a certification of GI Khao Sangyod Muang Phatthalung. Traditional to modern techniques are followed in the cultivation process in both cases. However, it is more evident that the code of practice (COP) for GI Navara rice cultivation embedded traditional knowledge at every stage of production from seed preparation to plant protection measures and nutrient management. On the contrary, the COP of Sangyod rice cultivation does not have specific local wisdom, but the unique quality comes heavily from the variety and the geographical area. Quality Sanyod rice seeds is required for certified GI products to ensure authenticity, and the access to quality seed somewhat available because the Phatthalung Rice Seed Center under the Rice Department supplies and promotes seed productions to local farmers. In contrast, non availability of pure seeds and limited viability of seed accession have constrained the production of Navara in recent past.

Table 1. Comparison of Practices and Regulations of GI Rice

Particulars	**Navara**	**Sangyod***
Geographical Area	Kerala-9 districts	Phatthalung
Rice Type	Medicinal	Gently fragrant
Cultural Practices		
Sowing	90% Direct sowing	95% Direct seedling
Seed rate/land preparation (Kg/ha)	75.2	71.46
Plant protection measures	Organic methods	Organic or GAP methods
Duration of the crop	60 days	155 days
Nutrient management	organic	organic or GAP
Harvesting	Manual/machine	Machine
Yield (Kg/ha)	2,853	2,421
Farmgate price (US$/kg)	0.98-6.85	0.38-0.64
Threshing, drying	Manual	Manual
Regulatory practices		
Registered proprietor	Navara Rice farmers society, Chittur, Kerala	Rice Department, Ministry of Agriculture
Government support for registration	No	Yes
Agency of registration	GI registry*	DIP***
Does technical specification include traditional knowledge/practice that are required for quality?	Yes	No, only specified variety and geographical area
Sustainability in terms of seed availability and quality?	Somewhat	Somewhat
Control system is costly or difficult to ensure quality?	Relatively very costly	Somewhat costly, mostly subsidized by government

*Khao Sangyod Muang Phatthalung
**GI registry, India
***Department of Intellectual Property

Since manual harvesting is becoming uneconomical, farmers are beginning to resort to machine harvesting. Labour accounts for more than 65 per cent of the total cost of cultivation per hectare in Navara case. Out of the farmers' surveyed, only those farmers with certification could get better returns which outweigh the high labour costs. Navara rice farmers society estimated a price of INR 400/Kg based on cost of production (organic) and profit margin for the variety. But the realisation of these price is constrained by selling of unauthentic Navara at a much lower price in the market. In Sangyod rice case, the GI does not generate higher profit to farmers than non-certified rice due to high cost of fertilizer. However, GI certified products received higher farmgate price than non-certified products but less than ones with certified organic standards.

The results imply that PGI rice from Thailand is promoted and supported by the government, but the benefits to farmers are not fully recognized partly due to cost of production and consumer recognition to reach international market. GI rice from India, similarly, could potentially gain more benefits to registered farmers if the control system management for certification is more stringent. Thus, there is a need to further investigate ways to improve the control system (both production and marketing) of GI certification and more effective training programs so that the economic viability of producing GI indigenous rice can be enhanced (Petruang and Napasintuwong, 2022; Radhika *et al., 2021b*).

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Défis de la délimitation territoriale dans l'enregistrement de l'Indication Géographique : le cas de la farine de manioc Copioba

Nina P. N. C. S. Branco, Lara C. C. Pena, Alcides dos S. Caldas, Ryzia de C. V. Cardoso[1]

Résumé - La délimitation territoriale d'une Indication Géographique (IG) comporte une exigence technique mais aussi une exigence complexe, étant donné que la délimitation de l'espace implique des conflits d'intérêts et de pouvoir. Ainsi, cette étude vise à présenter les enjeux de la délimitation territoriale d'une IG, en considérant l'étude de cas du projet d'IG farine de manioc Copioba, à Bahia, Brésil. Une recherche ethnographique a été réalisée, avec des entretiens menés avec des producteurs de cette farine, à Vale do Copioba, en 2019, lors de réunions de mobilisation et de formation, dans le but de demander l'enregistrement IG de ce produit. Bien que le projet ait le soutien d'institutions de recherche pour mener les activités, avec l'indication de 26 municipalités produisant cette farine, dans lesquelles le savoir-faire s'est répandu, parmi les producteurs, il y avait des positions contraires à l'inclusion de toutes les municipalités dans la délimitation. Tout au long du processus, il y a eu un manque de consensus entre les producteurs et l'apparition d'influences des représentants de la gestion publique impliqués. De ce qui précède, on estime que la délimitation existante n'est pas finalisée, nécessitant une discussion plus technique pour aboutir à un résultat plus cohérent avec la réalité locale.

Mots clés - délimitation territoriale, conflit, savoir-faire.

Introduction

Le nom géographique ou gentilé d'une indication de provenance (IP), au Brésil, ne doit pas nécessairement avoir la délimitation territoriale exacte attachée au nom, mais il est nécessaire qu'il représente la zone géographique connue comme centre d'extraction, de production ou de fabrication d'un certain produit ou service (Brasil, 2018). Dans ce contexte, il est un fait que la définition de la zone couverte par l'Indication Géographique (IG) doit respecter des critères reflétant de manière cohérente la réalité du territoire, afin d'être équitable et de reconnaître les producteurs impliqués dans la chaîne de production (Pimentel, 2014). Par conséquent, la délimitation territoriale de l'enregistrement d'une IG doit être faite avec beaucoup de soin, afin de ne pas exclure les régions et les producteurs.

Ainsi, cette recherche vise à présenter quelques défis de la délimitation territoriale d'une IG, en considérant l'étude de cas du projet de l'IG de la farine de manioc Copioba, à Bahia, Brésil. La mobilisation pour l'enregistrement de cette IG est un effort conjoint des producteurs initié à partir d'une recherche-action coordonnée par l'Université Fédérale de Bahia (UFBA) et des partenaires, toujours en cours. Dans ce cas, la délimitation du territoire de l'IG comporte un enjeu qui implique des conflits de pouvoir et des conflits entre les représentants des différentes communes participant au processus.

Methodologie

Cet article est une recherche ethnographique (Bardin, 2010), menée sur la base d'entretiens, auprès de producteurs de farine de manioc de la vallée de Copioba, en 2019, lors de réunions de sensibilisation à la demande d'enregistrement de l'IG pour leur produit. Les discours ont été transcrits et ensuite analysés, sur la base de la comparaison des discours des producteurs, qui divergeaient sur la zone géographique de la délimitation territoriale de l'IG.

Resultats

Le principal défi identifié dans cette discussion était la diffusion historique du savoir-faire traditionnel de la farine, au-delà de son territoire d'origine. Le nom géographique du produit, "Copioba", est directement associé à la vallée de la rivière Copioba, située à Bahia. Le lieu est désigné par la littérature et par les producteurs eux-mêmes comme le territoire d'origine de cette fameuse farine de manioc (Pena et al. 2021).

Cependant, en ce qui concerne la délimitation du territoire de l'IG, les producteurs sont divisés : ceux qui sont en faveur d'une délimitation uniquement pour les trois (3) municipalités d'origine qui composent la vallée de Copioba - Maragogipe, Nazaré et São Felipe - défendent la valorisation de la tradition historique de production ; et ceux qui sont en faveur d'une extension de la délimitation, qui font valoir que certaines municipalités voisines ont des producteurs de farine Copioba et peuvent renforcer le processus collectif de demande d'enregistrement de l'IG.

Outre l'avis des deux parties, L'Entreprise brésilienne de recherche agronomique (EMBRAPA), partenaire du projet, a publié en 2016 une étude dans laquelle elle atteste que la farine Copioba est produite dans 26 municipalités de l'État. Cette conclusion n'est

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pas pleinement reconnue par les producteurs des deux côtés, mais a été utilisée comme argument pour l'admission de six (6) autres municipalités en 2020. Avec cette inclusion, la zone de délimitation proposée couvre actuellement neuf (9) municipalités, cependant, elle exclut encore 15 municipalités de celles indiquées par l'EMBRAPA.

Discussion

Une IG représente un outil collectif pour promouvoir un produit identitaire et typé, cependant, pour qu'un projet d'une telle complexité soit réussi, il est nécessaire d'avoir une construction sociale de la qualité du produit basée sur les principes de l'associativité, de la confiance et la cohésion sociale (Saco dos Anjos et al., 2020).

Pour Saco dos Anjos et al. (2020), toujours en cours d'enregistrement formel, les IG constituent un problème organisationnel complexe, bureaucratique et coûteux, dont la solution passe par la création d'un environnement favorable au partage des connaissances. Dans cette dynamique, il est entendu que les procédures d'obtention de l'enregistrement d'IG relèvent de spécialités différentes, ce qui signifie qu'un organisme représentant un territoire ne peut assumer cette tâche sans un appui extérieur.

Dans le cas du processus d'enregistrement de l'IG de la farine de Copioba, il existe toujours un soutien des institutions de recherche et des agences gouvernementales, l'un des principaux défis étant la délimitation territoriale. Ce tableau résulte de l'histoire du savoir-faire de la farine de manioc s'étant répandue au-delà du territoire d'origine et faisant partie de la culture alimentaire de nombreuses municipalités de l'État de Bahia, dans un réseau complexe de production, de commerce et de consommation (Pena et al., 2021).

En ce sens, bien que la farine constitue un aliment et une culture, la perspective de différencier le produit par l'IG est désormais considérée comme un intérêt de marché et de pouvoir local par les acteurs concernés, notamment les acteurs des administrations communales, qui se trouvent dans une position contraire à celle de l'expansion de l'IG. Ces derniers, du fait d'une plus grande formation et expérience, ont une influence sur les agriculteurs, moins éduqués et fragilisés dans l'organisation sociale, la plupart d'entre eux, favorisant un positionnement en alignement avec les managers.

Selon Pimentel (2014), la délimitation de la zone doit être la plus précise possible et basée sur des critères objectifs, notamment les facteurs naturels, les savoirs locaux, l'importance économique actuelle, l'histoire du produit et sa réputation.

Dans d'autres projets, les enjeux de la délimitation ont été décrits, impliquant : la difficulté à mobiliser les producteurs, du fait de la grande dimension territoriale de l'IG ; la méconnaissance du processus bureaucratique et du concept d'IG par les principales parties prenantes ; et une concentration des mouvements bureaucratiques d'inscription entre les mains des institutions partenaires (Demier, 2020 ; Saco dos Anjos, 2020 ; Dortzbach, 2022).

Il convient également de noter que la délimitation territoriale est une exigence bureaucratique du processus IG, car elle dépend d'analyses et de mesures du territoire couvert par le dossier, dans un langage technique, souvent éloigné des producteurs (Demier et al. 2020). Dans le cas de l'IG Farine Copioba, cette situation est aggravée par la difficulté de parvenir à un consensus entre les représentants des producteurs et les institutions partenaires, sur la zone couverte par l'enregistrement.

Tout au long des mobilisations du projet IG Farine Copioba, des tentatives ont été faites pour pallier ces obstacles, à travers des réunions de sensibilisation, des formations et des rencontres virtuelles d'échanges sur le sujet avec des représentants d'autres collectifs de producteurs, qui sont déjà passés par ce processus des discussion similaires de territoire. Bien que ces initiatives soient également décrites dans d'autres projets d'enregistrement d'IG (Demier, 2020 ; Dortzbach, 2022), pour la farine de Copioba, il n'y avait pas l'idée qu'il fallait signaler une délimitation territoriale achevée ou réussie.

Malgré l'élargissement de la délimitation territoriale au-delà des municipalités initiales, on estime que ce débat n'est pas encore finalisé, car l'IG implique des conflits de pouvoir et d'intérêts, ainsi que des conflits entre les municipalités du territoire. Il est conclu que la délimitation maintenant établie entraînera encore de nouvelles discussions et de nouveaux développements, puisque les raisons du désaccord initial entre les producteurs n'ont pas encore été résolues.

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Le cacao rouge du Cameroun : Contribution de la recherche scientifique à la caractérisation et la délimitation de la proposition d'Identification géographique protégée (IGP)

Abeline Maboune Tetmoun[1], Denis Sautier[2], Dieunedort Njankoua Wandji[3][1]

Résumé
Au Cameroun, le cacao représente 30% des exportations non pétrolières et fait vivre plus de 2 millions de planteurs. Le cacao de fèves rouges du Cameroun possède une bonne réputation pouvant lui garantir un segment du marché international plus rentable. La notion d'Indication Géographique (IG) semble ainsi offrir des opportunités aux producteurs pour sécuriser les ventes et assurer des parts de marchés valorisant davantage les attributs locaux et conséquemment s'inscrit dans le processus de construction d'un revenu décent des producteurs.
L'Organisation Africaine de la Propriété Intellectuelle (OAPI) et les autorités camerounaises, avec le soutien de l'Agence Française de Développement, ont identifié et priorisé le cacao rouge comme l'un des produits potentiels au Cameroun pour un enregistrement comme indication géographique. Cet article présente l'étude de caractérisation en cours. Celle-ci procède d'abord à un zonage des espaces homogènes par rapport aux facteurs de production de ces fèves. Puis elle évalue leur influence sur les caractéristiques physico-chimiques et organoleptiques du cacao rouge du Cameroun.

Mots cles: *cacao ; Indication geographique ; revenu agricole; qualité organoleptique*

Introduction

Le Cameroun est le cinquième producteur mondial de cacao. L'activité cacaoyère y est stratégique, car elle représente 30% des exportations non pétrolières et fait vivre plus de 2 millions de planteurs.
Les Indications Géographiques (IG) semblent offrir des opportunités pour les producteurs des pays en développement pour sécuriser les ventes et assurer des parts de marchés en valorisant des attributs locaux (Accord de Bangui, Annexe VI, 1977; CTA – OriGIn, 2010). C'est pourquoi l'Organisation Africaine de la Propriété Intellectuelle (OAPI), en lien avec les autorités camerounaises, a identifié et priorisé le cacao rouge comme l'un des produits potentiels au Cameroun pour un enregistrement en indication géographique protégée. (Pédelahore et al., 2021).
En effet, le Cameroun est réputé auprès des milieux professionnels de l'industrie chocolatière pour la fréquente couleur rouge de son cacao (Thouillot, 2018). Cette spécificité n'est cependant pas encore scientifiquement décrite et ses liens avec son origine géographique restent à approfondir (Efombagn et al., 2006, Niemenaka et al., 2017).

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La question centrale porte sur l'identification des facteurs explicatifs de l'origine de la coloration rouge : Y a-t-il un lien entre couleur des fèves et les zones de production? La coloration rouge serait-elle liée aux variétés? aux spécificités pédoclimatiques des bassins cacaoyers ? aux pratiques locales culturales et de fermentation? ou bien à d'autres facteurs endogènes ou exogènes ?

Dans le cadre du projet PAMPIG 2 conduit par l'OAPI, une étude a donc été confiée à la recherche agronomique camerounaise. Cette étude en cours a pour objectif d'explorer les arguments scientifiques qui justifient la spécificité et les attributs du cacao rouge et donc l'opportunité de l'IGP cacao rouge du Cameroun[1].

Méthodes

La première composante de cette étude a porté sur le zonage. La prise en compte des paramètres spécifiques au rang desquels la température et la topographie ont permis d'établir des profils de "zones de production pédoclimatiques".

La deuxième composante de ce travail se réfère aux analyses physicochimiques et sensorielles. Des échantillons de cabosses de cacao ont été prélevés dans les différentes zones pédo-climatiques identifiées, suivant un protocole tenant en compte les spécificités variétales et les procédés de fermentation et de séchage. Les résultats attendus portent sur l'épreuve à la coupe (cut test), la colorimétrie; l'identification de la présence des polyphénols, les flavonoïdes ; les composés volatils et l'analyse sensorielle sur liqueur et chocolat. Ils permettront notamment d'établir différents profils de cacao rouge et leurs facteurs associés.

Résultats et discussion

L'analyse pédoclimatique a mis en évidence 3 régions de production. Les caractéristiques pédoclimatiques de la zone de production du cacao rouge sont celles des Régions du Centre, de l'Est et du Sud du Cameroun, correspondant la zone agroécologique de forêt à pluviométrie bimodale.

Les résultats d'analyses physicochimiques et sensorielles permettront de documenter l'association de divers facteurs - génétiques (variétés), climatiques (pluviométrie, ensoleillement), pédologiques (matière organique, texture, bases échangeables, pH, CEC), environnementaux (forêt ou savane arborée, agroforesterie, lumière) et techniques (récolte, fermentation, séchage) - avec la coloration rouge.

Il faut cependant relever que la coïncidence de la saison sèche avec la grande période de récolte du cacao permet, entre autres, d'obtenir un séchage correct et en particulier la couleur rouge des fèves. Cette couleur est plus rarement atteinte dans le bassin du Sud-Ouest Cameroun, à pluviométrie monomodale.

Effectivement, dans la zone à pluviométrie bimodale, des expériences de cacao de qualité ont commencé à développer leur identité, telles que celles dénommées 'cacao d'excellence' et 'golden cocoa', sur lesquelles l'IG cacao rouge pourrait se greffer.

Il sera donc nécessaire d'apprécier les relations coûts-bénéfices de différentes options de cahiers des charges, en gardant à l'esprit que, quelle que soit l'option retenue, l'IG serait portée au plan opérationnel par un groupement d'intérêt commun.

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G. IG et consommateurs

Labellisation des produits de terroir et durabilité territoriale. Discussion à partir de l'exemple de la Corse

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***Résumé*– Cet article traite des conséquences territoriales de la construction sociale d'une économie de qualité en Corse. Tout d'abord, il rappelle la trajectoire de développement qui s'est construite sur le modèle de la Rente de Qualité Territoriale. Ensuite, l'auteur discute des effets socio-spatiaux générés par une telle trajectoire : gentrification alimentaire, stratégies de passagers clandestins, détournement d'image. En conclusion, il s'agit de repenser la place de la qualité dans la construction d'une économie ordinaire du territoire**
Mots-clés **– Rente de Qualité Territoriale, Corse, autonie alimentaire**

LA STRATEGIE DE DEVELOPPEMENT TERRITORIAL DE LA CORSE : UNE ECONOMIE DE LA QUALITE

Comme bien des territoires, qu'ils soient insulaires et méditerranéens, ou continentaux et plus lointains, depuis une quarantaine d'années, la Corse a développé une trajectoire de développement qui s'appuie sur deux maître-mots : l'identité et la qualité (voir : Schéma d'Aménagement de la Corse de 1992 ; Plan d'Aménagement et de Développement Durable de la Corse de 2015). En effet, après avoir expérimenté les prémices d'une production viti-vinicole et d'un tourisme de masse dans les années 1970, l'île a rapidement opté pour le tournant de la qualité dès les années 1980 (Furt et Maupertuis, 2006). Dès lors, les produits identitaires (Taddei & Antomarchi, 1997) - que sont notamment les produits de terroir- ont été réappropriés et furent l'objet d'une revalorisation culturelle et marchande (*u riacquistu culturale*). De nombreux produits agro-alimentaires ont alors été placés au centre de démarches de qualification pour l'obtention d'une Appellation d'Origine. Depuis les 1ères appellations dans les années 1970-1980 (Vin, Brocciu), on ne dénombre pas moins de 22 produits sous IG à l'heure actuelle (16AOP et 6 IGP).

Dans ce projet de développement, le tourisme tient une place essentielle : multiplicateur de la demande, positionné plutôt haut-de-gamme, il tend à élargir le bassin de consommation et apporte à la destination Corse une clientèle aisée avec une forte propension à acheter des produits locaux (Vandecandelaere & Abis, 2012 ; Hirczak & alii., 2008). Consommer le produit de terroir fait partie intégrante de l'expérience touristique (Bessière & alii., 2006) et les touristes ne sauraient repartir sans leur produit-souvenir. Pourtant, s'il apporte une haute valeur ajoutée au territoire, ce modèle de développement fondé sur le « panier de biens et services territorialisés » (Moalla & Mollard, 2011 ; Mollard & alli., 2005) n'est pas sans générer certains effets pervers qui interrogent sa durabilité autant que la soutenabilité du territoire.

LES CONSEQUENCES SOCIO-SPATIALES DE CETTE TRAJECTOIRE DE DEVELOPPEMENT

Sans remiser aux oubliettes l'important travail de qualification des produits réalisé par les instances locales (INRAE, ODARC, chambres d'agriculture, filières), lequel a permis la transmission de savoirs et savoir-faire attachés aux produits, voire même le maintien de ces produits dans le paysage alimentaire local, il convient néanmoins de s'interroger aujourd'hui sur les conséquences socio-spatiales de ce modèle de Rente de Qualité Territoriale.

Tout d'abord, la forte hausse induite du prix des produits de terroir entraîne une forme de gentrification alimentaire dans un territoire où plus de 20% de la population vit sous le seuil de pauvreté (données : INSEE, 2020). D'une certaine manière, ce sont des aliments qui permettent de faire communauté localement qui échappent à la consommation des résidents. Formant le panier quotidien autrefois, ces aliments ne sont plus accessibles au plus grand nombre et sont devenus des produits d'exception consommés à l'occasion des temps forts de l'année (Noël, Pâques, lors des foires de la châtaigne, du fromage, du Niolu…), voire des produits de luxe vendus très chers à une élite touristique et locale.

Ensuite, ce modèle d'économie de qualité s'accompagne d'inévitables effets d'aubaine : pour une organisation collective difficile à mettre en place et à entretenir, avec des coûts de transaction parfois élevés pour ses adhérents, combien de passagers clandestins tirant profit des IG à moindres frais ? Ces stratégies de contournement mettent à mal la gouvernance du système et tendent à l'affaiblir alors qu'elle s'avère souvent fragile tant les jeux d'acteurs peuvent être tendus (voir le cas du Brocciu corse : Millet & Casabianca, 2019). Aujourd'hui, les stratégies d' « individuation » hors AOP de certains vignerons, pour prendre l'exemple du secteur viti-vinicole, interrogent la pertinence de l'Appellation d'Origine et la pousse dans ses retranchements (Tafani, 2021) : en commercialisant des « vins de cépage » sous l'étiquette VSIG, ces vignerons ne retirent-ils pas un bénéfice individuel de valeurs territoriales construites collectivement ?

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Enfin, certains opérateurs tirent avantage des effets de réputation de l'IG en mettant en œuvre de véritables stratégies de détournement de l'image de qualité territoriale : il s'agit là d'opérations frauduleuses visant à vendre l'image du territoire sans apporter les garantis sur l'origine des matières premières qui viennent alors d'ailleurs (Casabianca & Tafani, 2017).

Construire une economie ordinaire : l'autonomie alimentaire comme perspective

Se pose alors la question de savoir comment gérer au mieux ces effets pervers ? Ne faudrait-il pas infléchir la trajectoire de développement pour construire une « économie ordinaire » (Lamine et Chiffoleau, 2012) qui serve les résidents autant que les touristes ? Ne peut-on pas déjà déceler un certain nombre de signaux faibles allant en ce sens comme autant de « sursauts » du modèle de développement actuel ? On pense notamment aux projets de reconquête agricole du territoire qui doivent servir une plus grande autonomie alimentaire pour le territoire, et donc, une moins forte dépendance au tourisme.

A cet égard, le développement des Projets Alimentaires Territoriaux (PAT) est particulièrement intéressant à observer : sous l'impulsion de l'Etat *via* son Programme National pour l'Alimentation, les initiatives foisonnent localement ; si toutes ne ciblent pas les mêmes problématiques (Tafani, à paraître), certaines d'entre elles adressent des enjeux spécifiques du territoire insulaire rural et touristique qu'est la Corse. On pense notamment au PAT du Fium'Orbu Castellu et à sa gestion du problème foncier (titrisation des propriétés, identification du foncier communal, etc.), au PAT Balagne et à son approche de la précarité alimentaire, ou encore, au PAT du Parc Naturel Régional de Corse (PAT GR 20) et au traitement de la dimension touristique de la consommation alimentaire. Tous abordent le sujet de la relocalisation de l'agriculture et de l'approvisionnement local des consommateurs.

Au-delà des PAT, émergent un certain nombre d'opérations privées portées par des associations de producteurs et/ou des citoyens engagés qui visent à reconnecter l'alimentation aux lieux (Casabianca et Tafani, 2021). On peut citer les boutiques de producteurs, la mise en place de self-service de produits locaux, de drive fermiers et d'épiceries solidaires et responsables. Bien que ne s'inscrivant pas systématiquement dans le champ de l'Economie Sociale et Solidaire, ces initiatives partagent une même ambition : réorienter le système alimentaire territorial (Lamine, 2012) en place et infléchir la gouvernance alimentaire locale dominée par le marché des Grandes et Moyennes Surfaces.

L'ensemble de ces démarches renvoie à la construction d'une plus grande autonomie alimentaire dans un territoire où l'approvisionnement dépend à plus de 90% de l'extérieur (PADDUC, 2015).

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AOP et AB : quelle disposition à payer des consommateurs pour la double labellisation ?

T. Corre, S. Monier-Dilhan, J. Regolo[1]

***Abstract* – In a context of proliferation of quality labels in the agri-food sector, our study proposes an original analysis of consumers' willingness to pay for the organic label on cheeses depending on whether or not the product is under protected designation of origin (PDO). We use cheese purchase data from French consumers in 2017. We find that consumers are willing to pay more for products with official quality signs, in particular for the organic label (30% to 95% more). The PDO impact on prices is heterogeneous depending on the market segment. In line with the literature, we find that the higher the perceived quality of the PDO product, the lower the organic label effect on its price. Our results also suggest a complementarity effect when PDO products are weakly differentiated.**

***Keywords* – willingness to pay, Protected Designation of Origin, organic label**

INTRODUCTION

Les attentes des consommateurs sur la qualité des produits alimentaires sont multiples. Les signes d'identification de la qualité et de l'origine (SIQO) et les labels privés (marques nationales, régionales...) se multiplient sur les produits pour tenter d'y répondre (Monier-Dilhan, 2018). Cependant la profusion d'information peut accroître l'incertitude et générer de la confusion dans les choix des consommateurs (Janssen et Hamm, 2012 ; Dekhili et Achabou, 2013). L'association de plusieurs labels doit être perçue comme pertinente, complémentaire, sinon elle peut détruire de la valeur (Sirieix et al, 2013). Au sein de cette problématique, nous nous intéressons à la visibilité de deux SIQO - l'appellation d'origine protégée (AOP) et l'agriculture biologique (AB) - et à leur capacité à se combiner pour assurer une différenciation complémentaire sur le marché.

Nous travaillons sur le secteur fromager où ces deux labels sont très présents et étudions le prix implicite que les consommateurs sont disposés à payer pour les labels AOP, AB et la double labellisation (AOP et AB), par rapport à un fromage de référence sans label. Notre analyse tient compte de l'existence de marques nationales ou de distributeurs, du circuit de distribution, de la saison et du format de vente. Nous considérons séparément trois segments du marché fromager qui représentent 30% du marché français du fromage (FranceAgriMer, 2021) et concernent les principaux fromages AOP (INAO-CNAOL, 2021) : les pâtes pressées cuites (avec l'AOP Comté), les pâtes persillées (avec les bleus de vache AOP et l'AOP Roquefort) et les camemberts (avec l'AOP Camembert de Normandie).

Notre article se situe dans la littérature qui étudie la disposition à payer (DAP) des consommateurs pour les SIQO en présence d'autres attributs qualité ou labels privés/officiels (complémentarité/sous-additivité des labels). Deselnicu et al. (2013) dans leur méta analyse montrent que la prime de prix dont bénéficient les produits sous indication géographique est hétérogène. Loureiro et McCluskey (2000) montrent que la DAP du consommateur pour le label Indication Géographique Protégée du veau de Galice est en forme de U renversé sur l'axe de la qualité des morceaux de viande. Hassan et Monier-Dilhan (2002, 2006) étudient les prix des biens de consommation courante sous SIQO et trouvent que la DAP pour un SIQO est plus élevée pour un produit vendu sous marque distributeur que lorsqu'il est vendu sous marque nationale. Dufeu et al. (2014) et Tagbata et Sirieix (2010) étudient la "multi-labellisation" (en AB, Label Rouge et équitable). Ils trouvent que la DAP pour une combinaison de labels sur un même produit est inférieure à la somme des DAP pour les labels pris séparément. Ils montrent que la DAP pour un label supplémentaire dépend négativement de la valorisation du label initial.

L'originalité de notre travail est d'évaluer la DAP pour le cumul de SIQO, l'AB et l'AOP.

DONNEES ET METHODE

Nous utilisons des données (Kantar Worldpanel) de prix des achats de ménages français en 2017 d'un panel représentatif de la population française.

Nous nous appuyons sur le modèle de Rosen (1974) et utilisons la méthode des prix hédoniques qui décompose le prix d'un bien à l'équilibre selon ses caractéristiques. Pour tenir compte de la non-normalité de la distribution des prix, nous adoptons la transformation Box-Cox, et évaluons l'équation :

(1) $\frac{p^{\lambda}-1}{\lambda} = \alpha + \beta X + e$

Avec p le prix de la variété d'un fromage, X le vecteur des caractéristiques observées: marque nationale/ distributeur, réseau de distribution (hypermarchés, supermarchés, enseignes à dominante marques propres, traditionnel, drive et magasins spécialisés),

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traitement thermique du lait (pour les camemberts), format de vente, saison de vente et présence de signes officiels de qualité (AOP, AB).

Resultats

La table 1 synthétise les résultats des estimations des effets des labels AOP et AB pris individuellement ou simultanément sur le prix du produit. Les prix sont estimés à partir de l'équation (1) pour un produit sous marque nationale vendu en automne en supermarché au format le plus vendu.

Table 1. Effets estimés des labels AB et AOP, et de leur cumul sur les prix dans les trois segments de marchés en 2017

Segment de marché	AOP /ref (1)	AB /ref (2)	(AOP+AB)/AOP (3)
Comté (réf : Emmental)	+68%	+95%	+31%
Camembert AOP (réf: camembert lait cru)	+10%	+49%	+55%
Pâtes persillées AOP vache (réf : non AOP)	-15%	+31%	+64%
Pâtes persillées AOP Roquefort (réf: non AOP)	+35%	+31%	+29%

Selon nos résultats l'effet de l'AOP sur le prix du bien de référence est hétérogène (colonne (1)). Il est très important dans le cas du Comté (+68%), modéré pour le Roquefort et le Camembert de Normandie (respectivement +35% et +10%) et négatif pour les bleus de vache AOP (-15%). L'effet du label AB sur le prix du bien de référence est toujours positif et souvent d'une plus grande ampleur que l'effet de l'AOP (entre 31% et 95%) (colonne (2)). Enfin, l'effet du label AB sur un fromage AOP est toujours positif et de grande ampleur (entre 29% et 64%) (colonne (3)). En comparant les colonnes (2) et (3) on observe que l'effet de l'AB diffère sur le bien de référence et sur le bien AOP. Cette différence semble liée à la valorisation du bien AOP. Le label AB a un effet plus faible sur le Comté (+31% versus +95%), égal pour le Roquefort (+29% versus +31%), légèrement supérieur pour le Camembert de Normandie (+55% versus +49%) et très supérieur pour les bleus AOP (+64% versus +31%) par rapport aux biens de référence. Dans ces derniers cas, le label AB est complémentaire à l'AOP renforçant son pouvoir de différenciation.

Discussion

Nos résultats confirment que la DAP des consommateurs pour un signe de qualité dépend négativement de la qualité perçue. Plus l'AOP a un effet initial fort sur le prix, moins l'addition du label AB aura d'effet. Ainsi pour certains fromages, l'AOP couvre partiellement les motivations d'achat liés à l'AB, principalement de santé et environnementale.

Nos résultats montrent que la substituabilité entre les signes est limitée, le consommateur étant toujours disposé à payer une prime de prix substancielle pour l'AB (minimum +29%). Il peut y avoir complémentarité lorsque l'AOP seule est peu différenciante. Ces résultats sont cohérents avec ceux de Dufeu et al. (2014).

Du côté des producteurs, il serait intéressant d'étudier les coûts de la multi-certification, potentiellement décroissants, et de les comparer à ceux de la mise en place de cahiers des charges "multi-dimensionnel", intégrant des mesures de préservation de l'environnement, dans un contexte de renforcement des principes de l'agro-écologie dans les indications géographiques initié par le ministère de l'Agriculture et de l'Alimentation.

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How COVID-19 affected consumers' preferences and attitudes toward foods with Protected Designation of Origin (PDO)

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Abstract **– This study assesses the impact of COVID-19 on consumers' preferences and attitudes toward local food products. To this end, a survey was conducted in Barcelona (Spain) among 240 consumers in February 2020 (Before the coronavirus lockdown) and among 600 consumers in November 2020. The survey collected information on purchasing and consumption habits, knowledge, perceptions, preferences, and willingness to pay for the Reus hazelnut Protected Designation of Origin (PDO) and L'Alt Urgell - Cerdanya Cheese Protected Designation of Origin (D.O.P.). A comparison of the data collected in February and November was undertaken to assess the impact of COVID-19.**

Keywords **– Protected Designation of Origin (PDO), COVID, 19, Consumer behaviors, consumer preferences, willingness to pay.**

INTRODUCTION

The emergence of the COVID-19 pandemic has created one of the biggest public-health, social, and economic crises in the world, especially in the most affected countries (China, Italy, Spain, France, United Kingdom, and the United States, among others). Several countries were forced to order nationwide lockdown with different drastic restrictions to stop the spread of the pandemic. The consequences of this uncertain situation are drastic and are reflected by the increase of unemployment, the decrease of wages, and purchasing power, among others. This unpredictable and unexpected situation has created an atmosphere of fear, panic, and uncertainty among consumers. Literature (Kelly and Schewe, 1975; Zurawicki and Braidon, 2005; Ang et al., 2001) has shown that times of crisis alter consumer behavior.

The behavior alterations are mostly reflected by a decrease of consumption, a fall of expenditure, a change in spending allocation, and elimination or postponing of major purchases, an increase of brand switching, a decrease of brand loyalty, an increase of price sensitivity, an increase of the use of discounts, price reductions and neighborhood shops, a higher emphasis on information process, shift in shopping place, a change in the relative importance of product attributes, an increase of preference for home products, and a decrease of waste, among others.

This study assesses the impact of COVID-19 on consumers' preferences and attitudes toward local food products. The impact of COVID-19 is assessed comparing consumers' preferences before and during the COVID-19.

MATERIAL AND METHODS

To this end, a survey was conducted in Barcelona (Spain) among 240 consumers in February 2020 (Before the coronavirus lockdown) and among 600 consumers in November 2020. The sur-vey collected information on purchasing and consumption habits, knowledge, perceptions, preferences, and willingness to pay for the Reus hazelnut Protected Designation of Origin (PDO) and L'Alt Urgell - Cerdanya Cheese Protected Designation of Origin (D.O.P.). A comparison of the data collected in February and November was undertaken to assess the impact of COVID-19.

The survey included different blocs of questions on knowledge of DOPs, importance of the attributes "local", D.O.P. I.G.P., perceptions, purchase and consumption habits, WTP and participants' sociodemographic characteristics.

Both samples used in February and November 2020 were representative of the population of Catalonia in terms of sex and age.

RESULTS

Before the COVID-19, 52% of consumers usually buy Hazelnuts. This percentage increases with the COVID-19 and it reached 60% in November 2020. However, we can not affirm that this increase of the purchase of hazelnuts is due to the COVID-19.

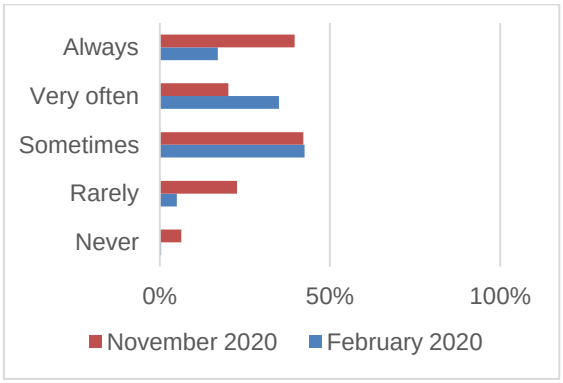


Figure 1: How often do you usually buy HAZELNUTS?

The percentage of consumers who know the REUS D.O.P. HAZELNUTS increased significantly with the COVID-19. In the study conducted in February 2020, 54.17% of consumers know the REUS D.O.P. HAZELNUTS, while in November 2020 this percentage reached 72.16%. This demonstrate clearly that the COVID-19 had a positive impact on consumer familiarity with the local products (the REUS D.O.P. HAZELNUTS). This is due in part to the increase of consumers' interest in local products.

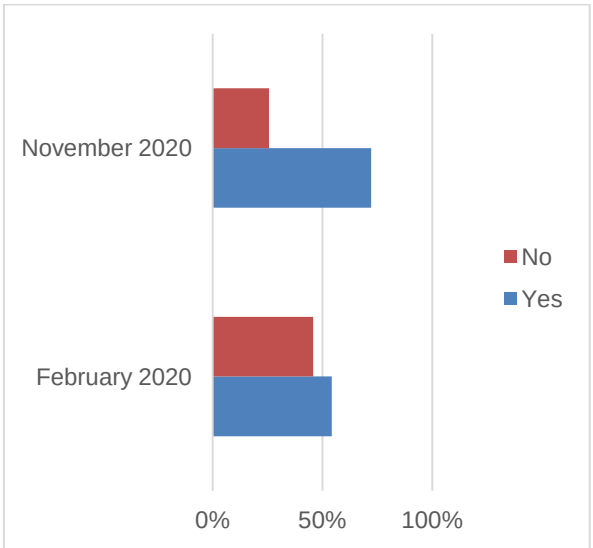


Figure 2: Do you know the REUS D.O.P. HAZELNUTS?

The percentage of consumers who purchase the REUS D.O.P. HAZELNUTS also increased with the COVID-19. In the first study, 54.16% of participants confirmed that they have bought the REUS D.O.P. HAZELNUTS, while this segment represented 65.97% in the second study.

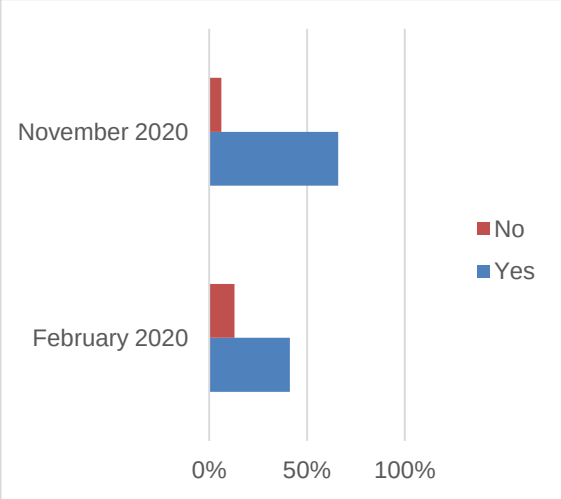


Figure 3: Have you ever bought the REUS D.O.P. HAZELNUTS?

Consumers' WTP for the local products with D.O.P has not changed. This means that the COVID-19 has no effect on consumers' WTP for the local products.

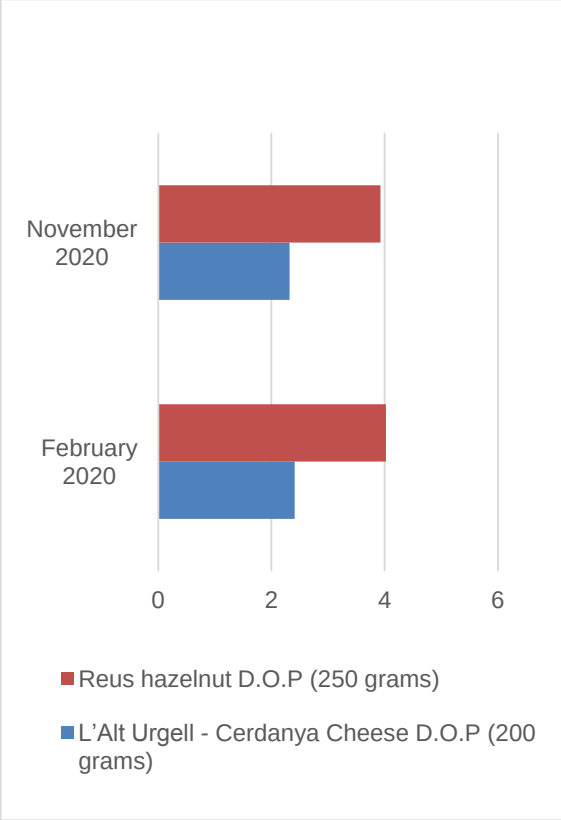


Figure 4: WTP (euros)

CONCLUSIONS

Results showed that the COVID-19 increased significantly consumers' interest, preferences, familiarity and purchasing intentions of Reus hazelnut Protected Designation of Origin (PDO) and L'Alt Urgell - Cerdanya Cheese Protected Designation of Origin (D.O.P.). These positive shifts in consumer behaviors are in line with the different actions conducted by local authorities in the last years to promote the purchase and consumption of local products. Many of these shifts will form new consumer behaviors for years to come. Moreover, most of these new consumer behaviors are still forming, giving companies an opportunity to adapt to the new reality and to meet the new consumers' needs.

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The impact of emotional storytelling on consumers' acceptance and purchasing intention of cheese and hazelnut with Protected Designation of Origin

Kallas Zein, Rahmani Djamel, Morcillo Yolanda, Colomer Delia, Gil, José Maria[1]

Abstract **– The main purpose of this study is to analyse the impact of the emotional story on the sensory perception of food. The importance of information on the hedonic evaluation and purchase intention of food is demonstrated in the consumer behaviour literature. Our hypothesis is based on the superiority of emotional storytelling compared to the objective message when analysing the sensorial acceptability of PDO and consumers' purchase intention and Willingness to pay(WTP) for PDO. In an experimental economics study carrying out a sensory study and the contingent valuation on 240 consumers in Catalonia (Spain), results showed a strong positive influence on the purchase intention, willingness to pay and sensory acceptance when using an emotional message compared to an objective one. Results could represent a roadmap to improve the promotional messages of the appellations of origin.**

Keywords **– emotional storytelling, consumers, hedonic evaluation, PDO, cheese, hazelnut.**

Introduction

It is well-known that consumers' hedonic evaluation and purchase intention of food products are affected by external contexts and varying environments. The information plays an important role in the formation of the expected and actual sensory acceptances and in identifying consumers' willingness to pay (WTP) (Baba et al., 2016). In this research, we assess the impact of emotional and objective storytelling using audio-visual and infographic communication materials on the liking scores and WTP of two Protected Designations of Origin (PDO) in Catalonia. The starting hypothesis is the superiority of the emotional discourse versus the objective narrative in affecting consumers' acceptability and preferences. In this context, the main objective of this study is to analyse the impact of emotional storytelling on consumers' preferences and acceptance. Furthermore, to assess how the emotional message positively influences the consumers' sensory perceptions and intentions for two Protected Designation of Origin: The Hazelnut of Reus and the Cheese of the Alt Urgell and the Cerdanya.

Material and Methods

To achieve the main goal, two methodological approaches were followed: The between and the within samples comparisons. The former is based on comparing the impact of the emotional (https://www.youtube.com/watch?v=hEmA6K21rnQ) and objective storytelling (https://www.youtube.com/watch?v=UWQsps7GJfE&t=49s) using two communication formats (video and infographic) between two samples that are similar in term of socioeconomic characteristics (gender, age and social class). The second approach aims at comparing the impact of the emotional and objective storytelling within the same sample by randomly presenting participants with the two types of information and communication formats. To reduce the order effect and the sensory interactions between the products (hazelnut and cheese), the presentation of the products and the communication format were randomized.

The Between approach is based on the expectancy-disconfirmation model (Oliver, 1980). According to this model, the expectations of the sensory quality of a product are based on the information that the consumer has and his experience with similar products. Thus, when the product is consumed, a real experience of the sensory quality of the product is developed. In this way, it will be possible to analyze whether the expectations and the real experience of the product coincide or not. If expectations are better than actual experience, a positive impact of the information is demonstrated. If expectations are lower, an insufficient impact of information on the creation of sensory perception is demonstrated.

The information presented to the consumers was differentiated in content and format according to the type of PDO product. In terms of content, the impact of information is compared between emotional storytelling and objective message. As for the format of the information, it was differentiated between written (infographics in the case of cheese PDO) and visual (video in the case of hazelnuts PDO). In both

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cases, the products were compared to the market-leading brand in each case.

Data were obtained during April 2020 from a self-completed structured questionnaire jointly with a hedonic sensory analysis on 240 consumers (Figure 1) A quota sampling approach was used with gender, age and postal districts as stratification variables. Participants were recruited from the metropolitan area of Barcelona province, that are exclusively or mainly responsible of household food shopping and who have consumed hazelnuts and cheese at least once in the last two months. Additionally, consumers were economically compensated for their participation.

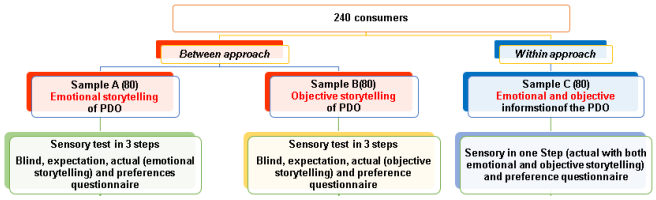


Figure 1. The methodological approach

To minimize the sensory interactions between the product (Hazelnut PDO) and the product (Cheese PDO), the presentation of the products was random to minimize the impact of the order on the results. Each session consisted of 20 consumers and lasted 1 hour. Consumers. The experiment took place over 2 days. There were 6 sessions each day (3 in the morning and 3 in the afternoon).

RESULTS

Results showed that the type of message used to inform consumers of the origin of the product plays an important role in determining the final consumers' acceptance (liking) and preferences (willingness to pay). These results are in line with what consumers' literature showed (Kallas et al., 2019). However, this result was not statistically significant in the approach between samples (while showing a clear trend of the superiority of emotional message compared to objective one). In contrast, the results of the within-sample approach showed that the PDOs promoted with an emotional message were more accepted and preferred compared to the PDO promoted only with objective information as can be seen in Figure 1 on the hedonic 9 points Likert-scale of liking. Furthermore, this result was also similar to consumers' purchase intention and Willingness to Pay (WTP) for the PDO where results showed a significant WTP a premium for PDO promoted through emotional storytelling.

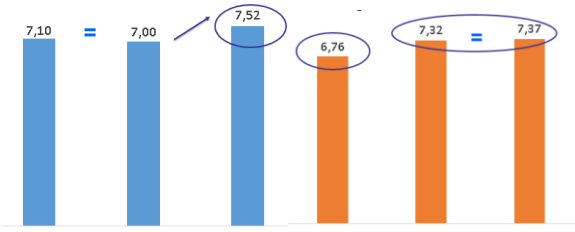


Figure 2. The emotional storytelling impact on PDO liking

Results showed that consumers aged 40-59 years rated the PDO promoted with the emotional storytelling as better flavour compared to consumers aged between 18 and 39 years. Furthermore, unipersonal households compared to those with 4 members or more rated the PDO with emotional video as better flavour. Similar results were also found for consumers
with Secondary studies compared to consumers with university studies and for individuals who are responsible of homework compared to the Self-employed and Students participants.

CONCLUSIONS

Results showed that including emotional storytelling of the PDO using an Audio-visual format compared to infographic format and when presented with objective information could improve the sensory perceptions of the PDO and allow for differentiating the PDO from other competing products. Furthermore, consumers' purchase intention and their WTP significantly increased with emotional storytelling. Our results could represent a roadmap to improve the promotional messages of the appellations of origin.

ACKNOWLEDGEMENT

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Do geographical indications certify origin and quality? A conceptual framework and an exploratory test on Gouda cheeses

Martijn Huysmans, Daniël van Noord and Gero L. Höhn[1]

***Abstract* – Geographical indications (GIs) protect regional speciality foods such as Gouda from Holland. While the EU asserts that GIs certify and protect traditional high-quality products, the US sees them as protectionist. This article first reviews the GI-origin nexus for a series of well-known GIs. It then develops a conceptual framework of different quality attributes and analyses how GIs may certify quality on those attributes. Regional origin may count as a quality attribute per se, or only indirectly through taste. The conceptual framework is illustrated with an exploratory blind tasting of Gouda cheeses. The framework and empirics shed light on the possibilities and limits for GIs to certify quality to different consumers.**

***Keywords* – Regional Foods, Protected Designations of Origin (PDOs), Protected Geographical Indications (PGIs), European Union, Food Quality.**

Introduction

The premise of the EU's GI system is that the origin of a product has a direct influence on the quality of the good: the notion of *terroir* (Barham, 2003). This link may arise due to geographical factors such as soil and climate, as well as human factors such as ancestral know-how or *savoir-faire*. In order to use a protected GI name, producers have to be located in the protected region and follow the product specification, which specifies the allowed ingredients and production methods. This stands in contrast to GI systems in the US or other countries in which policy-makers tend to back private trademarks more distinct from specific terroir (Barham, 2003). Clarifying the role of EU GI origin in certifying quality is hence important.

In addition, not much literature exists on which actual or perceived quality attributes of GIs drive their economic success. While origin can be a significant driver of consumer choices in some cases, it is not always important and less relevant for "New World" consumers in particular (Moser et al., 2011).

All in all, our article represents a first step towards clarifying the potential mechanisms, possibilities and limits for GIs to credibly certify origin and quality to different types of consumers.

Data and methods

First, our paper reviews previous literature on the GI-origin nexus. We enrich the review with own qualitative findings based on publicly available information about EU GIs stored in the eAmbrosia database. Next, we apply the *SECPP model of quality* to GIs and based on that we develop a stylised economic model that describes consumers' quality considerations.

Finally, we conducted an *exploratory blind tasting* with 82 Dutch adults in 2019 to assess the actual gustatory quality of GIs. Each participant was given two different slices of cheese, selected randomly and in random order among a generic Gouda, PGI Gouda Holland, and PDO Gouda North-Holland. This resulted in six potential treatments, e.g. first the PGI and then the generic Gouda. For each type the cheapest young cheese was selected to avoid comparing products of higher quality than necessary to qualify for a product name.

The tasting was blind in the sense that participants did not know which cheeses they were tasting to ensure that they only focus on taste, i.e. gustatory quality, to avoid biases based on seeing the GI label.

Results

Limits of the GI-origin nexus:

First, paradoxically, for some GIs such as PDO Gouda North-Holland and Stilton cheese, the production is actually not allowed in the eponymous cities.

Second, the link between region and product may be less strict than sometimes assumed. The famous Italian PDO hams from Parma, San Daniele, Modena or Carpegna source pig meat from much larger regions than the small "core" production area.

Third, the protected GI areas may not be constant over time. This may limit the sharp identification of GI names with specific regions. The areas of several French cheese GIs have been amended significantly: in 2014 the area of Livarot was increased by 146%. Other areas were decreased: Roquefort by 90% in 2008, Pont l'Évêque by 62% in 2015, Fourme d'Ambert by 58% in 2010 and Camembert de Normandie by 52% in 2013.

Fourth, some GI names such as "Feta" have no direct link to a region. The name reportedly comes from the Italian "fetta (slice)" (Gangjee, 2007), and the very large production zone of Feta cheese covers all Greek mainland plus the prefecture of Lesbos.

All in all, while GIs do certify origin, there are limitations to the nexus between GIs and such origin.

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GIs and the SECPP model of Quality:
The standard economic model of quality is the theory of ***S**earch*, ***E**xperience*, and ***C**redence* attributes. Tietzel and Weber (1991) extend this model by introducing ***P**lacebo* and ***P**otemkin* attributes. In contrast to credence attributes, Potemkin attributes cannot be verified even after purchase (e.g. Fair Trade).

Prima facia, some GI product requirements are likely to affect taste such as the use of Buffalo milk for PDO Mozzarella di Bufala Campana. Such requirements represent either search or experience attributes. In addition, they may guarantee the authenticity of a product, although this is a malleable concept.

At the very minimum GIs certify origin per se, a credence attribute. However, while all GIs have clear rules on the origin of raw materials, the rules may be more flexible than consumers think such as in the case of Italian PDO hams.

Some GIs also regulate Potemkin attributes. For instance, GIs may protect rural livelihoods and ecosystems. Also, PGI Gruyère cheese stipulates a minimum of 150 grazing days for cows per year, which ensures a certain degree of animal welfare. However, all these examples cannot be reliably determined from the end product and require process audits.

For those consumers who care about attributes such as origin and authenticity, a GI label can help them easily find the product they want. The label transforms these attributes into a search attribute. A consumer who buys a certified PDO Camembert de Normandie knows better what to expect then if she buys a generic Camembert. Herein lies the value of a GI: if the system functions properly, it informs the customer of product quality attributes she cares about, before making a purchase.

In a stylised economic model, we capture the corresponding consumers' quality equation, which is composed of three main components: *taste*, *origin* and *authenticity*. Origin may be a direct quality attribute per se, as well as influence taste through terroir. Our model proposes that if consumers only care about taste, origin per se and authenticity do not matter. For such consumers, GIs are only informative if they affect taste through terroir and mandated methods.

Exploratory Gouda cheese blind tasting:
While the link between geographical origin and quality has to be verbally described, there is no requirement for independent verification (e.g. blind tasting) for GI protection to be granted. This means that, at least in theory, the product specifications of some GI products may not be identifiable in a blind tasting. For instance, the producers of PDO Gouda North-Holland did not have to show through a blind tasting that their cheese made from North-Holland milk tastes better than Gouda made from other milk.

The results of our exploratory study are mixed. While adult Dutch consumers clearly prefer PDO Gouda in our blind tasting, the same is not true for PGI Gouda Holland that "only" requires Dutch milk (see Fig. 1). Therefore, it seems that the product requirements for this specific PGI do not guarantee a better taste to consumers in our experiment.

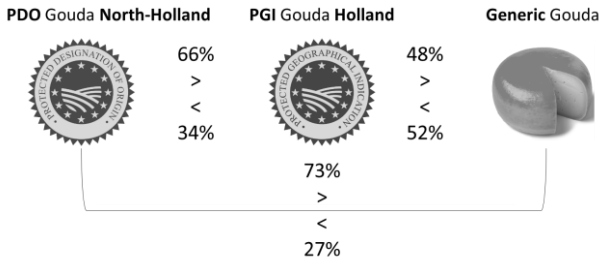


Figure 1. Results from exploratory blind tasting of Gouda cheeses with Dutch consumers (N=82).

Discussion and conclusion

Our paper shows how the SECPP model of quality can be used to evaluate the EU GI quality schemes for PGIs and PDOs. By separating out the different quality attributes that GIs may affect, we hope to have clarified the possibilities and limits for GIs to certify quality and appropriate value of traditional foods.

It appears that while the product specifications of some GIs may clearly affect taste, those of others do not. Hence, consumers and policy-makers whose quality considerations concern only search and experience attributes will not generally find that GIs certify quality in that narrow sense. The latter may especially apply to New World consumers that tend to care less about origin. Hence, full GI protection of EU GIs on the US market may be unrealistic as well as unnecessary.

To continue, future empirical research has to investigate in other contexts and with more participants how specific GIs affect the SECPP quality attributes and their relevance to different consumer types.

In conclusion, overall, GIs do certify a certain regional origin. Next to the influence of the specific terroir, GIs may impose rules that affect composition and taste. However, this gustatory influence of GI product specifications is not independently verified by e.g. blind tastings. Our small exploratory blind tasting shows that while a majority of consumers prefers PDO Gouda North-Holland to generic Gouda, the same is not true for PGI Gouda Holland.

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Choice drivers and willingness to pay for combined quality-labelled food: A cross-cultural comparison on PDO Cheese

Davide Menozzi, Ching-Hua Yeh, Elena Cozzi, Filippo Arfini[1]

Abstract **–The potential demand for a food specialty dairy product, cheese, with alternative multiple labels is examined. A random parameter logit model was applied to interpret the results of online discrete choice experiments (DCE) for the elicitation of preference of the consumers surveyed in France (n=400) and Italy (n=408). We analysed consumers' choices of quality-labelled cheeses, i.e., protected designation of origin (PDO) labelled Parmigiano Reggiano (PR) and Comté. Other features were tested, such as organic (Comté) and Product of the Mountain (PR) labels, company's brands, and price. The paper contributes to the literature on credence attributes, by examining consumers' Willingness to Pay (WTP) for differentiated cheese products, and by identifying the effects of personal characteristics, in terms of socio-demographics and level of product involvement, on the differences in WTP. The results show that price is the most important attribute in both countries, followed by the PDO quality label, in particular when paired with the second quality feature. Two cheese consumer segments are identified via latent class models (LCA) in each country, helping producers to improve their marketing of agri-food products with a high gastronomic value and differentiation potential.**

Keywords **– WTP; PDO cheese; DCE; product of the mountain label; organic label.**

Introduction

A number of food quality schemes may be associated with dairy products for suggesting, e.g., specific production methods, as well as the geographical origin. The co-existence of multiple labels is less investigated in literature, even if its role in consumers' studies could reveal interesting hints for both the stakeholders in the production chains (e.g., to target marketing strategies), as well as for consumers, who could access a more precise information around the origin and the production processes.

In this study we wanted to explore the role of the PDO label associated with extra labels, i.e. the organic and the Product of the Mountain ones for two well renowned French and Italian cheeses, respectively. The objective is to understand whether food quality multi-labels could positively influence consumers' choices.

Several studies have been conducted to explore and reveal the nexus between Quality Schemes (QSs) and consumers' choices and preferences (van Ittersum et al., 2007; Grunert et al., 2014; Kos Skubic et al., 2018). The analyses mainly focus on the willingness to pay (WTP): an estimation of the maximum price a consumer will buy a product designated with a QS (Menapace et al., 2011). Moreover, pairing the PDO and the PGI labels with other claims has been also studied taking into consideration consumers' preferences and WTP for GIs in combination with organic labels (Roselli et al., 2018), although most of the time the studies focused on the trade-offs between PDO/PGI labels and other quality schemes.

Other studies analysed the interest of consumers in GIs combined with the quality term Product of the Mountain. The studies confirmed positive attitude towards the Product of the Mountain label combined with GIs, and specifically with the PDO (Brun et al., 2020). Consumers expect mountain farming to be small scale and mountain products to be healthier than low-land products, confirming a growing attention toward an active protection of natural resources and a direct involvement in supporting small famers and local tradition.

Nevertheless, the analysis of the impact of co-branding strategies, e.g. combining PDO label with company's brands, as well as organic and/or Product of the Mountain labels, on consumers' WTP for agri-food products is still lacking.

Methods

We applied discrete choice experiments (DCEs) to simulate the purchase decisions of French and Italian consumers for Comté and PR having different attributes, to understand which features maximise the consumers' utility.

The features tested consisted of three attributes, defined for the cheese alternatives: quality labels, brands, and price. These attributes were proved to be influential in previous studies (see, e.g., Roselli et al., 2018, Brun et al., 2020) and were considered to be relatively independent with each other.

Data were collected through a nationwide online survey of French (n=400) and Italian (n=408) adult shoppers, who were at least partly responsible for their house-hold food shopping, and have bought cheese in the previous three months (Menozzi et al., 2021). The attributes and their respective levels were presented graphically in an adequately designed purchasing scenario, and participants were asked to simulate a decision choosing one of the three options,

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plus an opt-out option (i.e. giving consumers the alternative not to purchase the cheese products).
Along with the DCE also questionnaire items, such as screening questions and demographic information and socioeconomic status were included in the survey, essential information to implement a latent class analysis (LCA) (estimated through the maximum likelihood approach) which has been applied to identify country-specific consumer segments with different characteristics preferences.
To estimate the utility function, under the hypothesis participants have heterogeneous preferences and differ in error variances, the random parameters logit modelling (RPL) on the dummy-coded choice data was applied.
We applied the RPL and LCA methods to the country-specific DCE data collected, to simultaneously estimate part-worth utility parameters and class membership from the DCE choices. Furthermore, we computed consumers' WTP for each attributes level in each country and segment, by dividing the respective attribute level coefficient by the price coefficient.
Finally, the Independent-Samples Mann-Whitney U Test was applied to examine whether different (country-specific) consumer segments significantly differ with respect to the participants' demographic information, attitude, purchase behaviour and food value.

Results

Table 1 reports the model parameters.

Table 1. Random parameter logit model for DCE data.

	France		**Italy**	
ATTRIBUTE	Importance %	Average Utilities	Importance %	Average Utilities
Quality labels	34.33		28.71	
PDO vs. No-label		1.13 (2.06)***		1.46 (1.32)***
2nd label+PDO vs. No-label		2.64 (3.30)***		2.01 (1.79)***
Brands	8.20		19.15	
Farm/National Brand vs No brand/Large scale brand		0.43 (1.05)***		1.21 (2.05)***
Refiner/Local Brand vs. No brand/Large scale brand		0.63 (1.18)***		-0.16 (1.29)
Price	57.47		52.14	
Level 2 vs. Level 1		-0.64 (1.40)***		-0.78 (1.08)***
Level 3 vs Level 1		-2.21 (2.59)***		-2.14 (1.79)***
Level 4 vs Level 1		-4.40 (3.60)***		-3.65 (2.69)***
Opt-out option		-1.34***		-1.02***
Pseudo R-square	0.34		0.30	

***p<0.001.

The price had the largest weight in the decision of the individuals, followed by the PDO quality label, in particular when paired with other quality features. In addition, LCA has indicated two segments in the French (*Quality Seekers*, 78% of the sample, and *Price Sensitive Quality Adverse*, 22%) and Italian samples (*High Quality Seekers*, 89% and *PDO Lovers*, 11%), with heterogeneous attitudes towards quality-labelled food products and personal characteristics.

Conclusion

Price is relatively more important than other attributes in consumers' decisions, as well as the PDO quality label, in particular when paired with other quality features. In fact, our results demonstrate the positive effect of combining multiple labels in the two countries analysed indicating that producers' marketing efforts might be more effective when quality signals are combined with other quality cues, in our case studies with the voluntary organic scheme or the optional term Product of the Mountain. Finally, the DCE results have shown heterogeneous consumers' preferences for the different proposed brands between the two countries, due to different market contexts.

Acknowledgement

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Finnish consumer's awareness of European Union food quality labels and labels of origin

M. Särkkä, M. Autio[1]

Abstract **– The European Commission has adopted as a part of its policy on food quality, a scheme program for agricultural food products, wines, and alcoholic beverages. The products, which link the quality to geographical origin and tradition, can also act as drivers for sustainable value chains and territorial development. They also function as quality cues for consumers. As quality system labels are consumer labels, there are grounds to known to what extent consumers are aware of the existence of these labels and understand their meaning.**

The aim of the study was to find out the consumer's awareness of the EU food quality labels in Finland. The study was conducted as a face-to-face consumer survey (N=1004). The consumers were given a recognition task to identify three EU quality scheme labels, two national labels of origin, an EU organic label and an invented label of origin as a control. The perception of the national labels and the EU organic label was significantly better than that of the EU quality labels and even the invented "fake" label was better recognized.

Keywords **– geographical indication, quality labels, quality schemes, food, tradition**

Introduction

The European Commission has adopted, as a part of its policy on food quality, a scheme program for agricultural food products, wines, and alcoholic beverages. These designations function as quality cues to help consumers in their decision-making. The European Union (EU) quality framework consists of three different labels. Protected Designation of Origin (PDO) refers to products, which are produced, processed, and prepared in a defined geographical area, and the quality of which is essentially due to the geographical environment. Protected Geographical Indication (PGI) protects regional products that have a specific quality, reputation, or other characteristics attributable to that area. Traditional Specialities Guaranteed (TSG) emphasizes the traditional composition and mode of production of products.

So far, the knowledge about the geographical indications in a non-Mediterranean context has been limited and there is a clear difference between northern and southern Europe (Becker, 2009; Teuber, 2011). According to Slade et al. (2019), the effect of GI recognition depends on the terminology used and the information provided for consumers. The typical message for consumers in northern Europe is focused on quality assurance schemes and organic production, whereas a "terroir" type of message is stressed in southern Europe (Becker, 2009). Finland belongs to the northern cluster, and the number of applications for the EU quality scheme has been modest. Now Finland has 10 agricultural products and foodstuff and two spirits registered when the total number of registered products is over 3500 (eAmbrosia, 2022).

The aim of the study is to find out the consumer's awareness of the EU food quality labels in Finland for the first time to this extent. Two national labels of origin and an EU organic label were included in this study as well. A 'fake' label of origin was used as a control.

Methods

The study was conducted as a face-to-face consumer survey (N=1004) by a market research company. The Finnish consumers were given a recognition task to identify three EU quality scheme labels, two national labels of origin and an EU organic label. Additionally, one invented "fake" label of origin was presented as a control label.

The answers of the respondents were weighted to correspond to the whole population of Finland according to gender, age, profession, the situation in life, education, primary responsibility for the food purchases, the place of the purchase, region, province, mobile phone use, the size of the household and according to the gross incomes of the household.

The interviews were conducted by 45 interviewers in 82 localities of which 54 were towns and 28 other municipalities. The sample has been weighted to correspond to the target group. The weighted number N corresponds to Finland's 15-79-year-old population as thousands (OSF, 2016).

Statistically significant differences in the perceptions of the labels of origin with different background in terms of potential factors influencing the awareness of labels were identified by using a t-test and a one-way ANOVA. Only statistically significant results were reported.

Results

The home regions of the respondents (N=1004) were the Helsinki metropolitan area (33%), Southern Finland (17%), Western Finland (21%) and Northern/Eastern Finland (32%). The number of females was 55% and males 45%.

The results of the study showed that the perception of the national labels of origin and the EU organic label was significantly ($p > 0.05$) better than

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that of the EU quality labels. Even the invented fake label was better recognized (Table 1.).

Table 1. The Finnish consumer's awareness of the labels of origin (N=1004).

Label	Label recognized, %
Produced in Finland (national label)	94
EU Organic label	62
The best in the province (national label)	36
Fake label	16
TSG	9
PGI	7
PDO	6

The study was conducted as a face-to-face survey. This type of sampling procedure eliminated the opportunity for the respondents to search for the "right" answers. Hence, it can be stated that the results show authentic awareness and recognition of the labels of origin. Also, the study showed that many PDO/PGI/TSG protected brand names were better known in Finland than the EU quality scheme itself.

DISCUSSION

The EU labels PDO, PGI and TSG clearly fail to communicate and signal the origin of the food to the Finnish consumers compared with the other labels.

According to the literature (Aprile et al., 2012; Verbeke et al., 2012; Grunert and Aachmann, 2016; Likoudis et al., 2016) the general level of awareness of the EU quality labels seems to be low, and e.g. the EU organic label is better recognized or even considered similar to PDO or PGI (Likoudis et al., 2016). The cross-sectional survey conducted in six European countries by Verbeke et al (2012) showed a higher awareness of PDO (68%) compared to PGI (36,4%) and TSG (25,2%). Hence, the results of this study reflect quite a typical phenomenon.

The results seem to follow another typical pattern, which is the difference in the awareness of these labels between consumers in Northern Europe and Southern Europe due to e.g. a different policy approach (Becker, 2009; Teuber, 2011; Verbeke et al., 2012). However, the Finnish consumers show willingness to be aware of the origin of food because even the fake label of origin was better recognized than PDOs, PGIs and TSGs.

Kizos et al. (2017) found out that cases where the designation process of the product had been succesful and the meaning of the label was well communicated to consumers, the self-governance for horizontal and vertical collaboration among the stakeholders was essential and created "a collective ownership of the product and its reputation". So, in order to make these labels visible to consumers, it takes the whole food chain to play the same game.

CONCLUSIONS

The aim of the study was to find out the consumer's awareness of the EU food quality labels in Finland. The results of the study showed that the perception of the national labels and the EU organic label was significantly better than that of the EU quality labels. However, willingness to be aware of the origin of the food product existed, because even the fake label of origin was better recognized than PDOs, PGIs and TSGs. More research is needed concerning the impact of targeted promotion campaigns in non-Mediterranean areas, and the impact of the increase of the penetration of the PDO, PGI and TSG on the market.

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VIABILITY STUDY ON OBTAINING A GEOGRAPHICAL INDICATION FOR DESIGNATION OF ORIGIN ON SALT LAMB FROM THE COASTAL PENINSULA OF RIO GRANDE DO SUL, BRAZIL

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***Abstract* – Due to the mild temperatures and its location between the Atlantic Ocean and Patos' lagoon, therefore having saltier pastures because of the salty spray of the ocean, the Salt Lamb meat produced in the coastal peninsula of Rio Grande do Sul have obtained attention. The local sheep's breeding is mainly intended for local consumers, therefore, initiatives to develop the lamb production chain will be very valuable for the economic and social development of those cities. This case study reports the efforts made for farmers, technicians, and researchers to help develop the productive chain and verify the viability of obtaining geographical indication for this product.**
***Keywords* – Salt Lamb, Geographical Indication, Productive Chain, Sheep Meat.**

INTRODUCTION

World sheep production can be based in two production systems: market and social value oriented. Market oriented are based on profit, large scale and productivity, while social value oriented are based on subsistence, lower production costs, and food security for low-income families (Ramírez-López, 2020). In Brazil, sheep husbandry developed mainly as social value oriented systems; nevertheless, the increasing of income and education of farmers, as well as the expanding demand for lamb meat in Brazil is pressing the sector's development (Monteiro et al., 2021). Due to this early stage of development, many gaps need adjustment in sheep meat supply chain to provide enough quality and safe product.

The lamb meat produced in the peninsula region of Rio Grande do Sul is known for the different flavour, and its appreciation is increasing. There is a regional belief that the localization between Patos Lagoon and Atlantic Ocean generates climate conditions, such as constant ocean spray, that could influence native pastures, and this would be possibly related to the characteristic conditions of lamb meat, qualifying the Salt Lamb for a potential geographical indication (GI). Agriculture, livestock, silviculture, and fishery are the main economic activities of the region. The local sheep's breeding is mainly intended for local consumers, therefore, initiatives to develop the lamb production chain will be very valuable for the economic and social development of this region.

GI can add value to a product and help develop different sectors of the surrounding territory, providing social, economic, and environmental sustainability (FAO, 2010). Considering the collateral benefits of a GI, such as the unity of different agents of lamb meat supply chain, farmer's association, development of parallel sectors of this region (rural tourism), and environmental, cultural, and human resources valorization, the importance of this process is highlighted. This case study reports the work is being done for obtaining GI for the Salt Lamb and evaluate its viability.

METHODS

Five phases are necessary to add value to a product and its local of production: identification, qualification, remuneration, reproduction of local resources, and public policies (FAO, 2010). For the viability study of GI, we focused on identification and qualification phases. The authors conducted the formation of a participative study and a technical support group. To better understand the production chain and its problems, a group of local farmers, meat chain suppliers, and food researchers gathered once a month. The technical group provides support for local farmers, articulate with research institutions, and will conduct a study to qualify the Salt Lamb meat.

RESULTS AND DISCUSSION

Study of the Salt Lamb Production Chain

Despite a long tradition, the national production of sheep meat is still insufficient to meet demand, with Brazil being an importing country. This historical tradition is related to an important socioeconomic role in the economic and nutritional support of low-income families in rural areas. (Sório and Rasi, 2010). The main obstacles to sheep meat production are the low number of specialized abattoir and clandestine slaughter. Clandestine slaughter can cause public health issues as it increases the circulation of zoonoses, hampers animals' movement control, and facilitate tax evasion (Sório and Rasi, 2010).

The lack of coordination among sheep chain agents is evident due to the lack of information, management, and professionalism of the activity (Canozzi et al., 2013), which is based on informality (Sório and Rasi, 2010). However, the activity has great potential, considering the changes in production systems, herd standardization, production scale

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and efficiency, and product differentiation (Canozzi et al., 2013).

Despite its notoriety, the Salt Lamb meat production chain is also unstructured mainly due to informal slaughter and disarticulation between the production chain agents. Table 1 presents sheep population data between 2012 and 2021 provided by the Livestock Health Inspection Authority of Rio Grande do Sul. The coastal peninsula region, which comprehends the cities of Capivari do Sul, Palmares do Sul, Mostardas, Tavares, and São José do Norte, has the sum of its average herd more than 26 thousand heads of sheep. However, the sum of this period shows that only 1,179 heads have registered output to the slaughterhouse by issuing an Animal Transit Guide (ATG), which corresponds to an average of only 4.4% of animals slaughtered under regular conditions. These indicators highlight the huge problem of clandestine slaughter in this region.

Table 1. Population and slaughter output data recorded by the Animal Transit Guide (ATG) in cities located on the coastal peninsula of Rio Grande do Sul between 2012 and 2021.

City	Average herd	Output to the slaughter recorded	Relative frequency (slaughter *vs* population)
Capivari do Sul	1.982	119	6,0%
Mostardas	13.666	422	3,1%
Palmares do Sul	4.077	99	2,4%
São José do Norte	4.924	374	7,6%
Tavares	2.079	165	7,9%
Total	Σ 26.727	Σ 1.179	4,4%

To obtain GI it is necessary that farmers association coordinate to slaughter animals in a slaughterhouse, tracing lambs from the farm and standardize operational procedures from the farm to the industrialization process. The consumers must have access to that information and all processes should be auditable from an external controllership agent. All agents must coordinate for it to happen, the offer of animals to slaughter must be relatively regular, with standardized animals in size, breed, age, nutritional management and fat coverage. It is clear that all these advances will demand time, adjustments and efforts from sheep farmers, input suppliers and meat industry. For these reasons, we do believe that the present work may help to correct these failures in the production chain and reduce the illegal slaughter.

Legal and Technical Requirements for Obtaining a Geographical Indication in Brazil

In Brazil, GI is an industrial property instrument that seeks to distinguish the geographical origin of a particular product or service. According to the art. 176 of the Industrial Property Law (IPL) N° 9,299 (1996), IG constitutes by indication of provenance or denomination of origin (DO) (Brasil, 1996).

The DO is considered the geographical name of a country, city, region, or locality of its territory that designates a product or service whose qualities or characteristics are exclusively or essentially due to the geographical environment, including natural and human factors. The documents that should be submitted for a DO application must include the proof of the influence of the geographic environment on the qualities or characteristics of the product or service; i.e., the cause-and-effect relationship between the *terroir* and those qualities or characteristics that distinguish the product or service. Documents such as theses, dissertations, technical studies, and scientific article should be attached to the request.

For this reason, parallel to the meetings, the food researchers are pursuing grants to obtain support from Brazilian public research agencies to finance the study. The study aimed firstly to prove the distinction of the product and then proving that the quality of the Salt Lamb meat is related to the *terroir* where the animal was raised. To do so, the characteristics of lambs that are recognized by locals as typical of the region such as age, fat finish, conformation, and minimum carcass weight should be established. The centesimal composition of salt lamb meat and the native pasture of the coastal peninsula are going to be determined. The lipid profile of salt lamb meat samples and the profile of volatile compounds from the lamb meat and the peninsula's native pasture samples will be obtained. A quantitative descriptive sensory analysis of the meat is planned to be conducted; in this way, the Salt Lamb sensory characteristics can be established. The generated data and the main results are going to be summarized in a dossier, so the Salt Lamb producers can submit it to the NIIP to obtain the IG by DO.

CONCLUSION

Due to the problems associated with the Salt Lamb meat production chain related above, actions that aim to promote the production of quality meat and the legal trade of animals are of paramount importance to the sector's development and the coastal peninsula region. The production chain organization is necessary, so, in this way, the demand can offer a product with guaranteed quality standards, which adds income to the producer and all the chain links. Obtaining an IG with the steps inherent to the process can become an important tool to fulfil this aim.

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H. AfrIPI IG en Afrique

Les indications géographiques (IG) en Côte d'Ivoire : acquis et défis

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Résumé **— Dans un contexte de délocalisation des savoir-faire et de concurrence déloyale, les indications géographiques (IG) se positionnent comme l'une des alternatives pour protéger les démarches d'actions territorialisées de valorisation des produits dont la qualité est liée à l'origine géographique. La Côte d'Ivoire n'enregistre pas encore de produit IG, mais plusieurs initiatives propres à la démarche y ont été entreprises. Cette synthèse bibliographique montre que parmi les IG potentielles identifiées, l'attiéké des lagunes, le pagne Baoulé de Tiébissou et l'igname *Kponan* de Bondoukou ont fait l'objet d'études préliminaires ; des initiatives sont en cours en vue de leur labellisation. Sur le plan institutionnel et réglementaire, l'impact des actions menées sur les différentes chaînes de valeur laisse à désirer. Au niveau des producteurs, les structures organisationnelles sont soit inexistantes, ou manquent de synergie d'actions. Pour sortir de la léthargie actuelle, le comité des marques collectives et des IG (CMC) doit être opérationnalisé pour l'information et la formation des acteurs locaux. Comme tout projet orienté sur des solutions d'avenir, il faut que les groupements de producteurs existent et qu'ils s'approprient la vision du changement souhaité.**

Mots clés **– Indication géographique, Terroir, Côte d'Ivoire.**

Introduction

Les IG sont nées de la volonté d'apporter une valeur ajoutée à des produits de qualité liée à l'origine, surtout dans un contexte d'exigences accrues des consommateurs pour des produits de qualité (Oger et al., 2010).

En Afrique de l'Ouest et du Centre, le cadre juridique de l'Accord de Bangui sur la propriété intellectuelle en vigueur depuis 1977 et modifié en 1999 et 2015, a permis l'enregistrement de quatre produits IG (le Miel d'Oku, le Poivre de Penja, le café du mont Ziama et l'Ananas pain de sucre du plateau d'Allada) (Bohoussou, 2020; https://urlz.fr/hQ8L).

La Côte d'Ivoire n'enregistre certes pas encore de produits IG, mais dispose d'atouts biophysiques et culturels favorables à son développement. Aussi, plusieurs initiatives propres à la démarche IG y ont-elles été entreprises. Quels sont les acquis de ces initiatives ? Quels sont les défis à relever ? Ce sont les questions clefs auxquelles la présente contribution se propose de répondre.

Methodologie

Ce travail est une synthèse bibliographique effectuée à partir d'articles scientifiques, de rapports d'étude et données issues de sites internet, notamment celui de l'OMPI (https://www.wipo.int/reference/fr), de l'OAPI (http://www.oapi.int/index.php/fr/) et de l'OIPI (https://www.oipi.ci/). Les mots clés employés lors de la recherche sont les suivants : IG/ Produits du terroir et/en Côte d'Ivoire. L'essentiel de la documentation a été capté via le site Google scholar (https://scholar.google.fr/) et le programme AGORA de research4life (https://agora.research4life.org/).

Resultats

Les produits identifiés

Les premières investigations sur les IG en Côte d'Ivoire ont été menées par le ministère du commerce, la FAO, et l'OAPI à travers la phase 1 du programme d'appui à la mise en place des indications géographiques (PAMPIG-1) fiancé par l'OMPI. Ceci a abouti à l'identification du coton des savanes, la mangue Kent de Korhogo, la toile de Korhogo, la noix de cajou des savanes, l'igname *Kponan* de Bondoukou (IKB), le Pagne Baoulé de Tiébissou (PBT), l'hévéa de Grand Bouboury, le riz des montagnes, le café des montagnes de Man (FAO, 2012), le cacao Trinitario, la poterie de Katiola (Bagal & Vittori, 2010), la noix de cola de Sikensi, l'attiéké des lagunes (ADL) (CSRS, 2016) et l'huile rouge de Man.

L'apport de la recherche et les initiatives en cours

Les études menées par la recherche portent sur la noix de cola de Sikensi, l'ADL et l'IKB.

Conduite par le CSRS, l'étude sur la noix de cola fut une enquête sur la conservation qui a montré le lien à l'origine de cette noix (https://urlz.fr/hQ8a).

Semoule de manioc préparée de manière artisanale à la vapeur, l'attiéké est un mets originaire du Sud ivoirien, spécifiquement des peuples lagunaires (https://doi.org/10.1016/j.foodres.2010.09.032).

Selon les résultats du projet FIRCA_IG mené par le CSRS, la qualité et la typicité de l'Attiéké des lagunes reposent sur un savoir-faire, déployé dans l'usage de matériels spécifiques (écuelle en bois, couscoussière en argile), le tout circonscrit dans un espace géographique commun, entaillé de surfaces lagunaires (https://urlz.fr/hQ8l).

S'en est suivi en 2017, une étude de caractérisation des opérations unitaires propres à sa fabrication (https://urlz.fr/hQ8h). Sur la base des résultats de ces projets, l'OAPI a émis le 04 mai 2020, une demande de proposition pour l'accompagnement à la structuration en groupement, à l'élaboration du cahier des charges, du modèle économique et du plan d'ac-

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tions en vue de la reconnaissance de l'Attiéké des lagunes et le Pagne Baoulé de Tiébissou en indication géographique protégée (IGP) (https://urlz.fr/hQ8a).

Au niveau de l'IKB, l'étude menée a permis de géotracer le produit selon la démarche des IG. La zone de production a été ainsi cartographiée (Kouakou, 2021). Le conseil régional du Gontougo a émis le 03/11/2021 (DP N°.152/2021) une demande de proposition pour l'accompagnement, l'identification géographique en vue de sa labellisation en IG.

Plusieurs autres activités et actions (ateliers, conférences, recherches) à caractère scientifiques ont été menées par le CSRS (https://urlz.fr/hQ8H).

Cadre juridique et règlementaire

A l'instar des états membres de l'OAPI, la Côte d'Ivoire est signataire de plusieurs conventions en lien avec les IG : Arrangement de Lisbonne concernant la protection des appellations d'origine et leur enregistrement international du 31 octobre 1958, révisé à Stockholm le 14 juillet 1967 ; Convention instituant l'organisation mondiale de la propriété intellectuelle signée à Stockholm le 14 juillet 1967 ; Accord de Marrakech instituant l'organisation mondiale du commerce, notamment l'Accord sur les aspects des droits de propriété intellectuelle qui touchent au commerce (ADPIC) du 15 avril 1994 (OAPI, 1999).

Sur le plan local, l'OIPI tient lieu de service national de la propriété intellectuelle pour la Côte d'Ivoire. Il est chargé de suivre les questions de propriété intellectuelle tels que définis par l'Accord de Bangui et de combattre en liaison avec les services compétents toute contrefaçon et fraude dans ce domaine (https://www.oipi.ci/presentation/). L'OAPI, de son côté, a acté le principe d'un comité national des IG dans chaque état membre. Les missions de ce type de comité sont de superviser le recensement des produits éligibles, l'élaboration de cahier des charges et de plans de contrôle en collaboration avec les groupements de producteurs, la décision de reconnaissance par le ministère compétent et la saisine de l'OAPI pour enregistrement (Bridier & Chabrol, 2009).

Les faiblesses institutionnelles et organisationnelles

Sur le plan institutionnel, certaines initiatives n'aboutissent pas, et il est préoccupant de constater que les nouvelles initiatives ne capitalisent pas sur les acquis des actions déjà menées.

En outre, les producteurs qui ont la qualité de demandeurs de l'IG sont peu associés aux actions entreprises, si bien qu'ils ne savent pas grande chose de l'IG (Kouakou, 2021). Créé par décret *N°2012-699 du 1er août 2012*, le CMC qui a pour mission d'œuvrer pour la promotion et la protection des IG tarde à débuter ses travaux. Aussi, sa composition actuelle n'est pas assez représentative ; les acteurs du secteur agroalimentaire n'y figurent pas. En résumé, le rôle des institutions étatiques dans la mise en œuvre des IG laisse encore à désirer.

Au niveau des organisations ou groupements d'association, l'une des insuffisances constatées est l'inexistence d'organisations solides ; celles qui existent manquent de vision prospective. En effet, l'IG est avant tout une démarche collective (Giovannucci et al., 2009). La recherche de l'équité au sein de la filière IG, qui fait partie des caractéristiques essentielles de la philosophie et des conditions de réussite des démarches IG ne fait pas seulement allusion au partage des profits, mais implique surtout une mutualisation des actions sur toute la chaîne de valeur. Il est donc impossible de réussir l'IG sans mettre en place une organisation collective ou un groupement d'association solide (Barjolle & Sylvander, 2002).

Recommandations

Plusieurs actions sont à entreprendre.

- Il faut d'abord opérationnaliser le CMC à travers un décret ministériel et revoir sa composition. Ce comité devra à son tour informer et former les acteurs clefs sur la notion d'IG.
- Ensuite, il convient de capitaliser les expertises et expériences existantes ; le CSRS dispose par exemple d'expériences de plus d'une décennie en matière d'IG, que ce soit dans la recherche scientifique ou dans les programmes de recherche-actions.

Les communautés rurales, organisées par filière des produits qui ont été identifiés comme IG potentielles, doivent enfin développer les organisations de producteurs, et devraient être soutenues par une politique nationale de promotion/valorisation des produits du terroir qui soutienne leur création, leur acquisition de compétences et leur existence.

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I. IG, tourisme et gastronomie

Indicaciones Geográficas e incremento del Turismo: experiencias brasileñas en los sectores de vino y café

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***Resumen* – En varios casos, la valorización de la calidad de los productos y servicios en los sistemas de indicación geográfica (IG) ha propiciado transformación territorial que implica aprendizaje y colaboración y va más allá del propio producto o servicio, siendo utilizado por diversos segmentos del territorio. El Turismo puede fortalecer y ser fortalecido por los activos territoriales. Se entiende que del proceso de la IG pueden surgir interacciones simbióticas, ya que el turismo local puede servir para promocionar la imagen del producto con IG, lo que a su vez puede atraer más turistas a la región. Así, debatimos el turismo resultante de las IG en los sectores del vino y el café brasileños. Ese trabajo verificó si el reconocimiento de las indicaciones geográficas tuvo un efecto positivo sobre el empleo en el sector turístico en los municipios que forman parte de su delimitación. El artículo se desarrolló mediante revisión bibliográfica y documental; observaciones in situ y análisis cuantitativo utilizando *Propensity Score Matching*. Como resultado, verificamos varias actividades turísticas relacionadas con el vino y el café y comprobamos un aumento estadísticamente positivo del número de puestos de trabajo en el sector turístico**
de los empleos de Turismo en ambos sectores.

***Palabras clave:* Indicaciones Geográficas, Turismo, Empleo Turístico, Café, Vino.**

Introducción

Indicaciones geográficas (IG) identifican productos que tienen una calidad específica (o notoriedad) asociada a su origen. Resultan de interacciones técnicas, sociales y económicas, que incluyen la movilización de recursos específicos y la construcción de reputación dentro de las cadenas de comercialización entre productores y consumidores (Belletti et al., 2017).

Fueron inicialmente destinadas a evitar un efecto negativo de la fama de ciertos productos (uso indebido del nombre geográfico), pero se convirtieron en un factor de ventaja competitiva y facilitador de la inserción en el mercado (Medeiros & Passador, 2022). Además, los efectos derivados del reconocimiento de las IG pueden ir mucho más allá (llegando al desarrollo territorial) en función de las articulaciones y estructuras institucionales de cada caso (Bowen, 2010; Calboli, 2015). Así se considera IG no sólo un derecho de propiedad intelectual, sino también una herramienta política y, en los últimos 10 años, en el Sur Global, ha habido un creciente interés en las IG como una intervención de desarrollo (Egelyng et al., 2017).

Discusiones apuntan el potencial de las IG para incrementar el turismo (Čehić et al., 2020; De La Torre et al., 2014; Jiménez et al., 2019). Sin embargo, eso fue poco evaluado. Por tanto, cuestionamos: ¿las indicaciones geográficas generaron un incremento en el Turismo en las IG de vino y café en Brasil? Así buscamos verificar si el reconocimiento de IG tuvo un efecto positivo en los puestos de trabajo en el sector turístico de los municipios que forman parte de su delimitación. En concreto, se analiza la relación entre las indicaciones geográficas y el turismo; se analiza el efecto de las IG sobre el empleo en el sector; y se verifica cuáles son las actividades turísticas, actores y estrategias que originan las sinergias.

Procedimiento Metodológicos

Optamos por el análisis de vino y café porque se consideran productos de fuerte identidad cultural. Además, las primeras IGs reconocidas en Brasil fueron de esos sectores y ya existen varios registros (en octubre de 2020, 9 IG de vino y 07 IG de café).

Se realizó una revisión bibliográfica relacionando el turismo y las indicaciones geográficas. A continuación, hubo una fase cuantitativa para comprobar el efecto positivo de las IG en el turismo, concretamente en términos de puestos de trabajo utilizando el método *Propensity Score Matching* (PSM) que permite crear un grupo estadísticamente idéntico, de modo que el diferencial se base únicamente en el hecho de participar o no en una IG.

El PSM permite esta comparación al encontrar las similitudes dentro de los grupos de municipios que recibieron la indicación geográfica (tratamiento) y los que no (control). La probabilidad de que el municipio reciba el tratamiento se calculó teniendo en cuenta sus características observables (covariables). Esta probabilidad se ha medido mediante el modelo Logit (6), basándose el emparejamiento en el supuesto de independencia condicional.

A continuación, el PSM realiza un emparejamiento entre municipios con puntuaciones iguales o cercanas y luego evalúa si el grupo de tratamiento obtuvo empleos en el sector turístico estadísticamente superiores a los del grupo de control. Este se realizó mediante los métodos del vecino más cercano (tres vecinos, con reemplazo) y caliper 0,01.

Con el resultado positivo para ambos sectores, pasamos a la etapa cualitativa, en la que se aplicó un cuestionario online para conocer los usos turísticos de los productos con reconocimiento de IG y la

opinión de las entidades representativas de los productores sobre este vínculo, y luego se realizaron observaciones directas en 07 de las IG del vino para conocer las articulaciones y estrategias establecidas. No fue posible visitar todas debido a la pandemia.

Resultados

La fase cuantitativa demostró que el mercado laboral está más dinámico en los municipios con IG. Esta generación no sólo se deriva de los puestos de trabajo generados por la actividad (vino o café), sino indirectamente, por la mayor circulación de la renta local, con el fomento del multiplicador de empleo (aproximadamente 31 y 82 puestos de trabajo más por cada mil habitantes en las IG de vino y café, respectivamente). En el sector del turismo también se confirma esto (Tabla 1).

Tabla 1. Efeito médio de IG en los puestos de trabajo en Turismo por mil habitantes

Sector IG	Método	Efeito médio	Std. Err.
Café	Caliper	**0,04****	0,02
	Vecino	**0,02****	0,01
Vino	Caliper	**0,18***	0,08
	Vecino	**0,19***	0,08

Este número puede ser mayor, ya que algunas organizaciones mantienen trabajadores informales y contratan a enólogos/agrónomos para el trabajo en la producción y en la acogida de turistas y en otras actividades relacionadas con la venta de vinos. Por lo tanto, este empleo no está registrado como turístico.

Se encontran actividades turísticas relacionadas a las IG del vino y del café: visitas a la producción, degustaciones, eventos empresariales y festivos, cursos o talleres sobre la producción o el consumo del producto (ej. cursos de maridaje), asociaciones con alojamientos, restaurantes y/o guías y receptivos.

Consideraciones finales

Las actividades turísticas desarrolladas en las regiones vitivinícolas y cafeteras relacionadas con estos productos varían. Hay casos en los que no se desarrolla ninguno y hay casos en los que se hace turismo de varias maneras, incluyendo itinerarios que se centran no sólo en el producto, sino que explican qué es la IG y las especificidades del *terroir*.

El desafío de las estrategias de desarrollo consiste en identificar y valorar el potencial de un territorio, transformando los recursos en activos mediante un proceso de movilización y ordenación de los actores (Pecqueur, 2005). En los casos de mayor suceso en la oferta de actividades turísticas relacionadas al producto con IG fue verificado a constituicion de un imagen específico (con estratégias de *branding*); acceso a los mercados locales y regionales y sistemas de governanza territorial que incluyen la entidade representativa, los productores, el governo y organizaciones de pesquisa y asistencia tecnica. Esto se ajusta a las premisas de la teoría de la cesta de bienes y servicios territoriales (Cazella et al., 2020).

Además de la sinergia intra-territorial, existen articulaciones interinstitucionales público-privadas al ámbito nacional para el diagnóstico, reconocimiento y valorización de las IG. Entre sus acciones hubo en 2021 el lanzamiento de los Sellos Brasileños de Indicaciones Geográficas, una iniciativa del Instituto Nacional de la Propiedad Industrial, del Ministerio de Agricultura, Ganadería y Abastecimiento, del Ministerio de Economía y del Sebrae.

En Brasil (abril de 2022) se ha reconocido 89 indicaciones geográficas y hasta el momento, 2020 y 2021 han sido los años con mayor número de registros (10 y 18, respectivamente). La expansión del interés por el signo distintivo exige también más estudios y evaluaciones para que las nuevas articulaciones puedan aprovechar los aprendizajes anteriores.

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The Effect of Delimited Geographical Indication Areas on Retail Prices: A European Study

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***Abstract* – The spatial delimitations of geographical indications (GIs) are at the heart of GI product specifications. Prior theory suggests that smaller areas result in higher prices due to quantity restrictions and higher (perceived) quality. However, this economic effect of GI areas has not been investigated broadly despite the regulatory prominence of GI delimitations. Our full-sample regressions including 768 hams confirm price premiums for typically stricter regulated Protected Designations of Origin (PDOs). Subsample regressions using newly coded data of GI areas in square kilometres (km²) provide direct empirical evidence that larger areas are associated with lower prices. Therefore, our findings suggest that keeping GI areas small may be important for policy-makers and producers to effectively leverage regional brand value.**

***Keywords* – Geographical Indications; Price Analysis; European Union; Raw Ham; Protected Designation of Origin (PDO); Protected Geographical Indication (PGI)**

Introduction

The most defining characteristic of every European GI is its specific origin and consequently, the exact delimitation of the respective geographical area. Surprisingly, the effects of the size of GI areas have received limited attention in economic research.

Recently, Deconinck and Swinnen (2021) developed a model that puts the size of a GI area forward as a crucial factor that alters pricing, costs and quality. According to their theory, larger areas with more producers and less specific *terroirs* are likely to result in lower prices. However, there remains a lack of empirical evidence. Therefore, the main contribution of our paper is to examine whether the size of delimitated GI areas indeed influences prices.

Prior studies provide evidence that establishing a GI for e.g. hams can have a positive effect on price (Deselnicu et al., 2013; AND-International, 2019). However, little is known to what extent the size of a GI area mediates this positive price effect. Thus, the need for thorough research that considers differing areas among GIs in price estimates becomes evident.

Based on aforementioned theory and empirical findings we formulate our main hypothesis to test: *Larger GI areas are associated with lower prices.*

We provide the first econometric price analysis that explicitly accounts for differing GI areas in the popular GI food category of hams.

Data and method

We focus our analysis on raw ham (pork) because GI ham production is common across Member States and intra-EU trade dominates GI ham export (Török and Jambor, 2016). We gathered data from 36 online supermarkets in 11 EU countries, namely Austria, Belgium, France, Germany, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Slovenia and Spain. Our full sample comprises 768 hams including 22 GIs from 9 countries accounting for 190 observations.

To test our main hypothesis, we calculated the price in € per 100 grams for every ham representing our dependent variable. The basis for our main explanatory variable is the GI area in km². Due to skewness the natural logarithm is used (*lnarea*).

All GI production areas are described in the official product specifications and are usually defined by administrative units, e.g. municipalities. The respective surface data are publicly available and were summed to determine the area. In case the GI area is not defined by administrative units, producer organisations or geographical institutes were contacted for approximation. While the smallest GI in our sample of *Prosciutto di Carpegna* has an area of less than 30 km², the largest area of *Jambon d'Auvergne* goes beyond 23,000 km².

However, we cannot use the area in km² for our full-sample regressions because non-GI hams are not regulated regarding their production area. Therefore, we compare PDOs and PGIs to the non-GI reference group in the full-sample regressions. PDOs are usually more strictly regulated and are on average smaller than PGIs in our sample. Thus, we expect PDOs to have a stronger positive association with price.

We estimate expected retail prices of our full sample and subsample based on OLS models with supermarket fixed effects that also account for different consumer price levels across countries. In addition, we control for other price-influencing factors based on previous literature and own elaborations.

Many GI price analyses rely on survey-based data and determine willingness to pay of respondents based on stated preferences (Deselnicu et al., 2013; Leufkens, 2018). We opt for a price analysis based on actual retail price data, which is not prone to hypothetical bias and represents the final price observed in the market.

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Results

In our full-sample regressions, PDOs are the only GI label with a statistically significant price premium compared to non-GI products. PDO products with typically stricter rules realize a price premium of 67% compared to the non-GI reference product. This finding also supports extant studies that show price premiums for GI meat products and PDOs (Deselnicu et al., 2013; AND-International, 2019).

Most importantly, in our subsample regressions on GI hams, our main hypothesis is confirmed. *Lnarea* is statistically significant at the 1% level. Going from the smallest observed area to the largest in our sample, the expected price drops from about 6 to 4 euro (see also Fig. 1).

Table 1. OLS fixed effects regressions: Dependent variable price in € per 100 grams.

Regressor	(1)	(2)
Lnarea		-0.25***
		(0.07)
GI label (in (1) reference is non-GI)		
PDO	1.65***	-0.12
	(0.55)	(0.55)
PGI	-0.08	
	(0.14)	
National brand	0.98***	0.92***
	(0.12)	(0.25)
Organic product	3.14***	2.51***
	(0.35)	(0.21)
Package size in grams	-0.01***	-0.01***
	(0.00)	(0.00)
Maturation time in months	0.10***	0.16***
	(0.02)	(0.05)
Special pig breed (e.g. ibérico)	4.69***	14.07***
	(0.67)	(2.79)
Longevity of GI in years		0.02
		(0.04)
Constant	2.45***	4.37***
	(0.25)	(1.13)
Supermarket fixed effects	Yes	Yes
Summary Statistics		
N	768	187
Adjusted R^2	0.64	0.83

Notes: *P<0.1, **P<0.05 and ***P<0.01. Robust (1) and clustered (2) standard errors in parentheses.

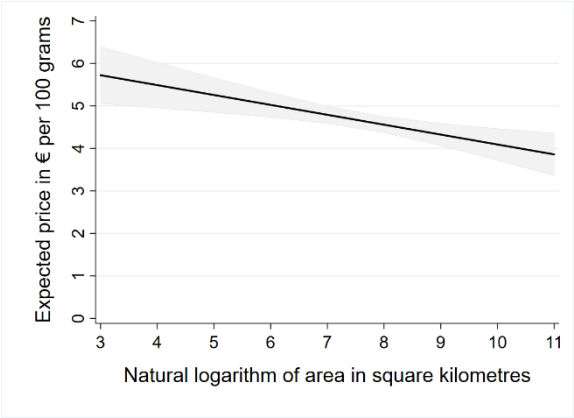


Figure 1. Plot of predictive margins of lnarea on expected price in € per 100 grams (based on model 2, Table 1).

Discussion and conclusion

In our subsample regressions, the relative size of a GI is even more influential than obtaining a PDO or PGI label specifically. We do not find a statistically significant difference between expected prices of PDOs and PGIs once we control for their areas and ham-specific attributes. Thus, the decision for the GI area should be as thoroughly made as for the GI label.

However, GI areas may affect ham prices differently compared to other GI categories such as cheeses and wines. Products of animal origin such as meats and cheeses may be less soil dependent, especially when livestock is raised indoors. Thus, our analysis should be replicated in other contexts.

Moreover, the less common two-level or so-called umbrella GIs encompass several smaller GIs within a larger GI area. A very large area of the umbrella GI is likely to be less influential regarding prices if ancillary GIs are delimited to much smaller areas.

Finally, more research on producer objectives is clearly needed to understand why producers decide to opt for smaller or larger GI areas. The latter may still positively affect turnover and profits through higher sales and benefit producers accordingly.

To conclude, we provide the first direct empirical evidence of a negative association between GI area size and prices of GI foods. This association has been outlined by extant theory on GIs. Thus, GI delimitations should be carefully determined to optimally appropriate value from protected regional origins.

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The *volcanic effects* of PDOs wines in Cabo Verde. A sustainable approach

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***Abstract* – Cabo Verde instituted provisions for Geographical Indications (GIs) protections of its products through its Intellectual Property Code of 2007, and two of the country's signature volcanic wines – Fogo and Chã das Caldeiras vinho do Fogo – received appellations of origin (PDO) in 2021. On April 6, 2022, Cabo Verde signed the WIPO Lisbon System, a measure that reaffirms its commitment to utilizing GIs for the socio-economic development of the archipelago by supporting culture, agriculture, and new tourism policies.**
Using a multidisciplinary approach, we investigate how GIs Cabo Verde's wines could work as a spillover, *volcanic effect*, for sustainable development. We argue that by strategically interconnecting PDO wines to other high-quality traditional products (e.g. coffee, fish, and cheese), and with cultural aspects – such as festivals and music – would not only boost agri-food tourism, but also benefit communities by increasing product traceability and having more educated youth employed. This process should be accompanied by national strategies to maximize results across sectors. Folklore and other traditions – including food, music, and festivals – that proudly link people to their territories and products should be intertwined with a GI strategy. Education, IT, and communication infrastructures should also accompany this process to reinforce the efficacy of GIs.
***Keywords* – Agri-food Geographical Indications, Fogo and Chã das Caldeiras PDOs, Cabo Verde sustainable development.**

Introduction

Cabo Verde's Intellectual Property Code, approved by Decree-Law No. 4/2007 on August 20th, introduces GIs protection in order to welcome the socio-economic benefits that such *sui generis* rights may bring to the country's economy. The first PDO was granted in 2021 to the wines of Fogo Island, which is a UNESCO biosphere reserve. On April 6 2022, Cabo Verde signed the WIPO Lisbon System on GIs to use this tool as a mechanism for the country's socio-economic development. Major regional and international Intellectual Property (IP) agreements are also signed by Cabo Verde.

The archipelago's small economy still struggles with poverty, yet Cabo Verde has great potential—and not just in its beautiful beaches as tourist attractions. Cabo Verde has rich land and marine biodiversity – as well as many cultural traditions, including food and music festivals. Wine GIs under TRIPs Agreement grant exclusive rights ex officio to a product labelled as originating in a particular place, whereas a given quality, reputation, or other characteristics of the product are essentially attributable to its geographical origin (Trips 22.2 and article 23). GIs have proven to increase the country´s reputation for *terroir* and *savoir-faire*, which may indeed become a recognized symbol of quality. Success stories in Africa are leading examples of using this tool as an engine for social development (e.g., rooibos tea in South Africa [Gerz et al., 2006] and argan oil in Marocco [Perry et. al., 2019]).

There are common characteristics of volcanic wines: historical value and origin; minerality and multisensory experience; characteristic landscapes combined with fertile soil; and longevity of the wine. These wines could be defined as "heroic wines" (Chironi et al., 2020), given the extreme conditions of their geographical source, including climatic conditions. In general, adding the GIs label further qualifies agri-food products, indirectly improves other traditional value chains, and valorizes local communities where GIs are produced (Vandecandelaere et al., 2009), which ultimately contributes to the country's GDP (tourism and export). Due to their uniqueness, GIs volcano wines are contributing to the preservation of traditional landscapes and biodiversity conservation. They may also reduce migration away from rural areas.

Our research question focuses on how to use the current PDO volcanic wine as a spillover *volcanic effect* for: 1) developing new potential GIs products while increasing consumption of traditional Cabo Verde agri-food products that comply with quality standards; and 2) enforcing eno-gastronomic routes which could benefit local communities, while simultaneously providing a strategic integrated approach to the agriculture, tourism, and cultural sectors.

Methods

The paper is based on international scientific literature in the field of GIs and volcanic wines, in policy analysis of Cabo Verde's legislative GIs framework, and national statistics in the agri-food and tourist sectors. Using a multidisciplinary approach, we suggest a pathway to examine challenges and opportunities offered by GIs through an integrated reading of the country's policies in the tourism, cultural, and agricultural sectors.

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DISCUSSION

Given the recent labelling, it is still too early to estimate Cabo Verde's PDOs wines real impact on the country's GDP and on local communities. However, the increased worldwide trends show the appeal that volcanic wines have, not only within the export industry, but also in enhancing the tourist experience (Chironi et al., 2020). However, in order to measure the effectiveness of PDOs wines of Cabo Verde, substantial tailor-made policies should support the process prior to, during, and after registration (Delphine Marie-Vivien et al., 2017). This should be done across several sectors, in addition to good marketing strategies.

Below (Fig. 1) we provide an integrated approach to sustainable employment of GIs in Cabo Verde, with the goal of increasing their multidimensional impacts.



Figure 1. GIs sustainable approach in Cabo Verde

A joint study between the Ministry of Agriculture and Environment and UNIDO (2018) shows that PDO wine stimulated the development of new agri-food value chains. Further, progress has also been made in granting the coffee and special goat cheese of Fogo with possible GIs protection. Challenges remain in regard to strengthening supply chains to avoid post-harvest losses, and to promote the food value chain from farm to fork, while ensuring the application of food safety standards throughout the process.

The nation's agricultural strategies focus on modern and quality agriculture as a tool for the fostering of productivity at micro and macro levels to diversify production, as Cabo Verde is still highly dependent on food imports (Office of Statistics, 2017-2021). We argue that GIs should be integrated into tourist and agri-food strategies. This would promote the introduction of local products into the tourist supply chain, where most food is currently imported due to an "inefficient inter-island transport and supply chain apparatus (product handling, cold storage)" (World Bank Group, 2019).

Our results highlight how policies should be based on participatory approaches that empower local communities and farmers, making them more knowledgeable regarding GIs collective processes. This will help introduce innovation and compliance with sanitary standards into traditional practices in order to improve know-how and sustainable production. The country should also identify and promote those tourist routes that target authentic experiences, including eno-gastronomic festivals and various cultural events that combine folklore with original music and agri-food.

CONCLUSION

GIs need nationally coordinated policies in various sectors – including modernization of transport, excellent IT infrastructure, and skilled workers – to be a resilient and sustainable mechanism for socio-economic development.

Building on Cabo Verde's current PDOs wines and the attractive trends of volcanic wines, we suggest that national policies should establish sustainable interconnected processes across various value chains. This approach should serve not only to maximize positive impacts created by the first GIs in Cabo Verde, but also to better integrate national policies (including agriculture, tourism, and culture) for hedging against the risks of a niche wine market – which is subject to external factors that may not favor exports (e.g., wars and pandemics).

A participatory approach to GIs would also benefit local communities, increasing their knowledge of quality products while favoring sustainable healthy diets and people's employment. The overall increased standards of traditional products and their traceability could produce positive effects as they are integrated into tourist supply chains.

Furthermore, the spillover, *volcanic effects* of already established PDOs wines may play an important role in preserving Cabo Verde's landscape and rich biodiversity – which would, together with other agri-food and cultural activities, contribute to granting tourists authentically holistic experiences.

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A SWOT Analysis of the GI Registered Agricultural Products from India - Evidence from Select Case Studies

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Abstract:
Implementation of Geographical indications (GI) in the developing countries context present multiple governance and institutional challenges. A study conducted by the authors examined the economic impact of GI registration on the producers of select eight agricultural products that include food grains, spices and horticultural products from three states of India. Adopting a theory of change approach, the authors carry out a SWOT analysis to demonstrate that while GI registration has been a major legal intervention, the institutional governance of these products is yet to emerge to take economic advantage of the uniqueness of the products. Though the cultivation of these products provides employment and livelihood opportunities for the farmers and workers involved, yet the spill over benefits due to wide recognition of the product as GI has not been achieved yet. Creating awareness about GI at all levels would make positive difference to the producers.
Key words: India, SWOT analysis, governance, standards

Introduction: A number of scholars (Rangnekar 2004; Van de Kop and Sautier 2004; Josling 2006; Bowen 2010; Barham and Sylvander 2011) have indicated the development potential of Geographical Indications (GIs) as most of the GI products (both agriculture and artefacts) belong to remote locations. GI as a marker of quality and authenticity acts as protection measure for both producers and consumers and has the potential to improve rural livelihoods emanating from local resources (Bramley et al. 2009). Due to the importance of Geographical Indications (GI) as a development tool, the promotion of GI is receiving adequate attention in India as one of the strategies for inclusive development by promoting the local products. With the help of the quantitative and qualitative data collected from a study (Lalitha et al, 2020) of more than 1000 farmers that focused on three states and eight products in India; in Gujarat- Bhalia wheat (BW) and Gir kesar mango (GKM); in Maharashtra-Nashik grapes (NG), Vengurla Cashew (VC), Sindhudurg Ratnanari Kokum (SRK); in Kerala-Alleppey cardamom (AC), Malabar Pepper (MP) and Pokkali rice (PR), the authors highlight the challenges and opportunities of adopting GI in India.

Objectives and methodology: This note focus on *two objectives* viz: (a) strategies adopted by the registered proprietors of GI to realise economic returns from the registered product and (b) socio, cultural economic and institutional spill over outcomes of GI protection on a variety of stakeholders. First, it is essential to understand how GI as a tool would help to realise these objectives. Hence, based on the literature (Neilson et al 2018:41) and our interaction with a variety of stakeholders, we developed a hypothetical theory of change broadly explaining[3] what the GI registration could deliver for the consumers, producers and the society (Chart 1). With the help of this TOC and based on the data from the field, we list down the major strengths, weaknesses, opportunities and threats (SWOT), to know whether GI has been used as a development tool and to answer the listed objectives.

Results and discussion: The proprietorship of the chosen products include government agencies, universities and farmer producer organisations. However, the efforts to promote the products have been with the producers only as collective organisations are present only in case of NG with exporters who operate outside the realm of GI. In case of all other products, inspection for quality is undertaken as per the standards set by the traders.
Farmers take their own individual decisions from pre-production stage to marketing the product. Based on the TOC we attempt a SWOT analysis of eight registered agricultural products of India so as to widen their market reach within India and globally.

Strengths: Of the eight products chosen for the analysis, food grains have the strongest geo link with the region and are produced in a sustainable manner. Nevertheless, all the products have recognition as a place good in the region of production. Consumption of BW, MP, AC, PR and SRK have health benefits also.
Weaknesses: None of the products have their value chain defined clearly under the legal framework of GI and hence the authorised users have not been identified, though a beginning has been made in the case of VC and SRK. In the case of government owned GIs like Malabar pepper and Alleppey cardamom, no effort has been taken to popularise GI tag. None of the proprietors of the chosen GI have created a functioning farmers' collective and hence, the grey sales go unchecked. The use of GI logo in marketing was absent except in case of VC and SRK, which was in a very nascent stage.
Opportunities: All the products have their unique taste. Hence, distinguishing them from the similar products through customised brand building would be beneficial for the producers.
Threats: The area under all the chosen products except NG, has declined compared to the time of GI registration. VC, MP and AC face threats from imports. Adverse effects due to climate change issues are real for all the products. None of the products are sold with the GI tag, with the exception being VC and SRK, which have started using the national GI logo since 2018. From the TOC, while all the products have got the GI registration, yet measures to position the products in the market by using the GI tag and creating awareness at all levels has not taken place. Hence only a few producers in select products have registered as authorised users. Due to lack of collective action and a functioning inspection body, the standards of production followed by the producers differ and thereby the prices fetched by for the products too vary.

Conclusion: The GI registered products under this study have high potential for brand building. However, the governance and institutional mechanisms to enable the producers to use the tag

[3] Interaction between each of the indicators is not presented here due to page constraints

for marketing purposes and maintain quality standards are yet to emerge. Among high value crops such as GKM, VC, NG, MP, and AC which cater to both export and domestic market, the institutional and governance mechanisms could be strengthened to streamline the use of GI to tap the export market potential. Producers with high quality products earned better price than others, and hence the spill over benefits were limited to a few. Setting up institutions to govern and monitor quality would help the producers and consumers to derive benefit from GI protection.

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Chart 1 Key Indicators of Change in Economic, Livelihood and Institutional Impact of GI Protection

1. PRINCIPAL INTERVENTION/PROCESSES
(a)Identification of the product for GI registration;(b)appropriate documentation of the product to ascertain geographical link of the product with the region;(c)defining GI region; (d) forming producer organisation with appropriate bylaws, capital and organisation structure; (e) identifying players in value chain;(f)awareness at all levels in the value chain about social, cultural and economic benefits of GI registration;(g) code of practices specified for quality check;(h) establishing inspection body to authenticate quality;(i) submission of GI application either by Producer Organisation or government agency with all documents and particulars to GI Registry.
2. OUTPUT
(a) Legal protection through GI registration;(b) identification of authorised users (AU) through defining production area and identification of value chain; helpful in estimating the volume of production;(c) code of Practices (CoP)/quality standards established;(d) inspection body established to monitor quality of products and infringement; (e) GI logo adopted;(f) consumer outreach mechanisms initiated highlighting the uniqueness of the product;(g) continuous awareness programs to emphasise on quality, authenticity among producers and consumers
3. OUTCOMES
(a) Awareness programs lead to publicity for producers and product, creating demand; (b) identification of AU in the value chain helps in estimation of grey production and sales; creation of measures to check such activities;(c) producers invest resources to maintain quality and authentication;(d)producers establish QR codes or traceability mechanism; (e) social capital created among producers through knowledge and experience sharing;(f) producer association lead to pooled procurement of inputs, reduction in transaction cost and improved net income; (g) collective efforts to position GI products in market; (h) production process as per CoP result in sustainable methods of production; (h) producers receive improved share in final price of the product.
4. IMPACT
On consumer: (a) Governance mechanisms deliver products of appropriate quality and uniqueness, creating consumer loyalty and repeated purchases; (b) willing to pay more than the average price for authentic product.
On Producer:(a) Producer invest more to maintain and sustain uniqueness; (b) increased demand, premium price; (c) more employment opportunities in production, processing and trading of product; (d) Increased income and improved livelihoods.
On Society: (a) increased demand for the product bring in more producers who take up production;(b) local bodies become more vigilant about the usage of the geo resources to ensure sustainable production;(c)GI becoming an economic asset of the area contributing to the area development;(d) more employment opportunities; (e) other economic activities such as tourism; (f) production of heritage product continued following the traditional practices (g) traditional knowledge and practices of the product are kept alive, documented for future reference

Source: Developed by the authors.

Mediterranean Diet: a multidisciplinary approach to a new territorial strategy

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Abstract **– Mediterranean Diet (MD) integrates territorial diversities, economic and lifestyle changes. These characteristics represent an enormous potential, for a sustainable food pattern and healthy lifestyles, biodiversity and to valorisation of local products. In 2013 Portugal joined the UNESCO MD application for Intangible Cultural Heritage. The University of Algarve, in a partnership with the Competence Centre for the Mediterranean Diet, 4 Regional Agriculture Directorates of mainland Portugal, Tavira City Council (Representative Community) and the Higher Education Institutions' Network for MD Safe-guard, developed a set of activities with the aim of strengthening the national strategy for MD promotion and safeguard. The activities aimed to raise awareness of the MD characteristics in each territory and to enable effective articulation within the main stakeholders, in a quadruple helix – Agriculture, Health, Heritage and Tour-ism. It was possible to gather a wide range of actors with responsibility in preservation and promotion of MD in each Region. The created working groups are developing further work leading to a safeguard strategy for MD in each Region and the set-up of Regional Commissions for MD (CRDMs). Results point out the relevance of geographical indications (GI) registration of regional characteristic products as a key factor for MD safeguard.**

Keywords **– Mediterranean Diet; Safeguard; Local products; Geographical indications; Territorial cohesion; Sustainability**

Introduction

Mediterranean Diet (MD) is a complex concept that represents a philosophy and a way of life based on sharing, sociality, creativity, celebration, and hospitality. Long-term travelling and exchanges over centuries of History, together with the harsh landscape around the Mediterranean perpetuated an intangible cultural heritage, shared by the surrounding countries and by Portugal, which being geographically Atlantic, receives its influence and is culturally Mediterranean.

UNESCO inscribed MD on the Representative List of the Intangible Cultural Heritage of Humanity in 2013. It is now important to safeguard and to promote MD, through a persistent intervention near populations, based on a deep knowledge of the characteristics of each territory related to MD, to raise the awareness of different stakeholders, including agriculture, health, tourism, regional authorities, educational communities, public ad-ministration, and economic agents.

In 2017, the Algarve Regional Commission for MD (CRMD) drew up the Activity Plan for MD Safeguarding, 2018-2021, designing a strategy for the valorisation of local products

In 2017, the Algarve Regional Commission for MD (CRMD) drew up the Activity Plan for MD Safeguarding, 2018-2021, designing a strategy for the valorisation of local products. Taking in consideration the diversity that MD assumes in different Portuguese regions, it became necessary to deepen the knowledge about MD in the main regions.

In 2017, the Algarve Regional Commission for MD (CRMD) drew up the Activity Plan for MD Safeguarding, 2018-2021, designing a strategy for the valorisation of local products. Taking in consideration the diversity that MD assumes in different Portuguese regions, it became necessary to deepen the knowledge about MD in the main regions.

The regional features within the main con-cept of MD were identified during preliminary studies so that it may be disseminated in each region based on its diversity, characteristics, and actual needs.

The promotion of close coordination between different MD players in each region is the aim of this project, to establish a referential defining MD criteria and parameters, to increase knowledge, safeguard, and valorisation of the country's natural and cultural diversity, as a way of simultaneously promoting regional development and territorial cohesion.

GI have been reported as a key factor for product demand and differentiation, therefore, one of our goals is to promote IG attribution to products associated with MD in each Portuguese Region (Stasi, 2011).

The main objective of this project was to strengthen national MD safeguard and promotion strategy. The present work aims to evidence the relevance of GIs in achieving this goal.

Methodology

The University of the Algarve (UAlg), in a partnership with the Competence Centre for the Mediterranean Diet (CCDM), four Regional Agriculture Directorates (DRAPs) of mainland Portugal (Alentejo, Lisbon and Tagus Valley (LTV), Centre and North), Tavira City Council and the Higher Education Institutions' Network for MD Safeguard (RIESDM), developed a set of activities with the aim of strengthening the national strategy for the promotion and MD safeguard. These activities aimed to raise awareness of the characteristics associated with MD in each territory and to enable effective articulation within the main stakeholders, using a quadruple helix approach – Agriculture, Health, Heritage and Tourism, and were as follows:

- Definition of a methodology to identify the specific characteristics of MD in each of the country's regions and to enable regional actors to plan and implement a strategy to strengthen its safeguarding.
- Promotion of focus groups and work sessions, with the different players in each region, to debate MD and to create an agreement on how to apply this concept to the different regions.
- Planning each region's further work, promoting the creation of Regional CRDMs and preparation of each region's strategic documents for MD safeguarding and promotion.

The results in each region's group were submitted to content analysis to quantify those related to GI. The progress of each region's working group action is monitored in periodical meetings.

Results

Activities began by the identification and invitation to the entities to participate in the focus group and working sessions. In October 2020, the webinar "Mediterranean Diet and territory development" gathered 200 participants.

Focus group (72 participants from 57 entities) and work sessions (74 participants from 52 entities), from the 4 regions of Alentejo, LTV, Centro and Norte took place in November and December 2020, based on original scripts. The documents (scripts and final templates), participants' list (including the entities each one represented), conclusions and assessment results are published in open access (Mateus, 2021a, 2021b, 2021c, 2021d; Freitas, 2021a, 2021b, 2021c).

Follow-up meetings involving representatives from the UAlg, Comissão de Coordenação e Desenvolvimento Regional do Algarve, Direção-Geral de Agricultura e Desenvolvimento Rural, DRAPs and other participant entities, concluded that, although with different paces, the plan scheduled is accomplished and the information produced is being included in the regional's strategic plans (Freitas, 2021a).

Similarly, the *Plano de Atividades para a Salvaguarda da Dieta Mediterrânica na Região do Algarve, 2018-2021* (UAlg, 2018) and the *Plano de Atividades da RIESDM 2020-2023* are currently being used as support for the development of each regional plan (Freitas et al, 2021).

Strategic goals defined for each region show the different visions of regional products identification and characterization and among them, those in "Agriculture and food systems" consistently converge towards future GI registration (Table1).

Table 1. GI related strategic goals, initiatives and actions identified in each region

	Goals		Initiatives		Actions	
	N	%	N	%	N	%
Alentejo	8	67	12	80	14	54
LTV	11	92	7	58	11	50
Centre	10	83	8	67	6	27
North	8	67	8	88	9	38

The number of strategic goals, initiatives, and of actions that may develop into GI registration identified in each region is presented in Table 1.

Discussion

Despite the very different departing points in each region, concerning their general acknowledgment of the MD concept and of each one's own related characteristics, the strategy of disseminating the Algarve region's previous experience provided a solid background for the work.

Region representatives had clear differences on the understanding of their region's perceptions over GI relevance. However, the goals, initiatives and actions defined as strategic are aligned with the recognition of the importance of GI for product protection and MD safeguard.

Conclusion

It was possible to gather a wide range of players with responsibility in the preservation and promotion of MD in each Region. The created working groups are developing further work leading to the implementation of a safeguard strategy for MD in each Region and the set-up of CRDMs. Despite using different approaches and identifying different aims, each region representative group pointed out the interest in several GI registration intentions.

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J. Quels marchés pour les produits IG ?

Desarrollo territorial: la economía creativa en las regiones con indicaciones geográfica para el vino

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Resumen – **Las Indicaciones Geográficas (IG) son formas de protección legitimadas por convenios internacionales y los productos con este signo distintivo de origen se diferencian por *terroir*. La Economía Creativa (EC) inaugura una línea de pensamiento en la que el capital simbólico y la creatividad se reconocen como activos creativos esenciales y determinantes para el desarrollo. El desarrollo territorial se abordó considerando lo notoriedad del vino con IG como ventaja competitiva y la EC utilizando el simbolismo y organización del arreglo productivo como parte de un proceso orientado al *place branding*. Así, el objetivo fue verificar la contribución de la EC al desarrollo territorial de las regiones. El territorio estudiado comprendió las seis regiones con IG para vino en Brasil. La recolección de datos se realizó mediante entrevistas que incluyeron, siguiendo la metodología Tridente Creativo, grupos conformados por el poder público, sectores productivo y creativo. Las conclusiones son que: La EC en relación con las IG se restringe al desarrollo de marcas, etiquetas, contra etiquetas, frascos y folletos explicativos; Hay necesidad de sumar al proceso de otorgamiento de una IG un modelo de planificación estratégica basada en la EC, la marca de lugar y el desarrollo territorial.**

Palabras clave: Desarrollo territorial. Indicaciones geográficas. Economía creativa. Vino.

Introducción

En la actualidad, los activos intangibles vinculados a la territorialidad y la propiedad intelectual se vuelven esenciales en la interpretación de cómo estos recursos se transforman en estrategias capaces de influir positivamente en el potencial competitivo de las organizaciones. Territorio y territorialidad en áreas con indicación geográfica representan más que una relación de marketing, representan un conjunto de relaciones entre espacio geográfico, propiedad intelectual del signo distintivo de origen, notoriedad y el hombre como eslabón transformador de estas conexiones en estrategia competitiva de *place branding*. Las estrategias de marca de lugar dependen de perspectivas basadas en la ubicación e innovaciones institucionales, organizacionales o de mercado que agregan valor económico y un proceso de múltiples partes interesadas donde la marca representa unidades territoriales históricas y complejas (García et al., 2013).

En Brasil, las indicaciones geográficas son signos distintivos de origen con formas legítimas de protección y los productos con este signo se diferencian por *terroir*.

La economía creativa se caracteriza por ser un proceso integral y participativo con inversión en creatividad, conocimiento y políticas públicas transversales. Una economía transversal con ventajas comparativas como soporte estratégico para el desarrollo territorial de forma analítica (Pérez, 2015; Torre, 2015).

El problema que plantea este trabajo se refiere a: ¿Cómo contribuye la economía creativa al desarrollo de las regiones con indicación geográfica vitivinícola? El objetivo general del trabajo fue evaluar la contribución de la economía creativa al desarrollo territorial de las regiones con indicación geográfica vitivinícola y presentar un nuevo modelo de estrategia de desarrollo territorial. La relevancia se demuestra desde la perspectiva teórica y empírica por la contribución al fortalecimiento de las indicaciones geográficas como inductoras del desarrollo territorial y desde la perspectiva metodológica por el nuevo modelo estratégico de desarrollo territorial.

Metodología

El territorio estudiado comprendió todas las regiones con indicación geográfica para vino existente y aprobada en Brasil y ubicadas en la región Sur: Vale dos Vinhedos, Farroupilha, Monte Belo, Pinto Bandeira y Altos Montes y la región de Vales da Uva Goethe.

El método Creative Trident presentado por Higgs et al. (2008) para medir la contribución de la economía creativa con entrevistas utilizando un cuestionario semiestructurado con preguntas sobre la contribución de la economía creativa y el análisis de contenido se utilizó el software Atlas.ti en la versión 8.0. Las entrevistas se realizaron en 26 bodegas, 6 asociaciones gestoras de indicaciones geográficas, una institución de investigación, un alcalde, 4 secretarías municipales, además de 4 empresas de diseño, publicidad y publicidad y un diseñador independiente.

Resultados e Discusión

Los representantes del poder público entrevistados fueron unánimes en señalar que no existe una política pública dirigida a promover las indicaciones geográficas, ni tampoco la economía creativa a promoverlas.

La participación se restringía al apoyo cuando se realizaba algún evento relacionado con el vino.

Las indicaciones geográficas fueron atendidas con actividades de economía creativa únicamente con acciones relacionadas con el diseño del logotipo, rótulos, además de carpetas publicitarias. Las bodegas no presentaron ninguna planificación encaminada a utilizar la economía creativa como estrategia de marketing para la difusión de la indicación geográfica. En ellos la única referencia que tenéis sobre la indicación geográfica es el sello, por obligación, y en los folletos no hay ningún texto explicativo sobre qué es una indicación geográfica, qué significa un vino con indicación geográfica o sobre la importancia de tener un signo distintivo de esta naturaleza.

Todos los representantes del sector creativo reconocieron que las indicaciones geográficas, de manera creativa y articulada, pueden generar obras creativas que enfaticen el valor simbólico encaminado a la marca de lugar y al desarrollo territorial. También mencionaron una participación muy limitada en servicios de diseño y promoción de eventos relacionados con el vino, con poca experiencia en la difusión de indicaciones geográficas, además de la falta de un plan de marketing estratégico. Esa planificación fue considerada por la mayoría de los entrevistados como aún necesaria o que se hizo, pero sin la debida solidez. Así, el desconocimiento de los consumidores brasileños sobre lo que es una indicación geográfica hace que este sello, como modelo de negocio, entre e un círculo vicioso. ¿Usted no invierte en una indicación geográfica porque los brasileños no saben o los brasileños no saben porque lo que es una indicación geográfica porque no invierten?

El simbolismo que impregna el territorio es expresado por el vino y no por la indicación geográfica, por lo tanto, descifrar este simbolismo significa comprender qué manifestaciones resultan de la obtención de esta propiedad intelectual y observar su importancia en el contexto del desarrollo territorial. Como resultado, las indicaciones geográficas no se han convertido en un capital territorial relevante para una estrategia de *place branding* orientada al desarrollo territorial inteligente, inclusivo y sostenible. Además, el equilibrio entre capital territorial, gobernanza, economía creativa y organización de los interesados no estaba configurado para una estrategia de *place branding* como propugnan Camagni y Capello (2013), García et al. (2013) y Horlings (2012).

En el territorio estudiado, para que las indicaciones geográficas se consoliden como capital territorial, el simbolismo, representado por la diferenciación de los vinos con el sello, necesitaría ser incluido estratégicamente por las estructuras de gobernanza en los procesos de desarrollo territorial. Sin embargo, cuando se le preguntó sobre la acción institucional posterior a la concesión, no se percibió la misma dedicación y positividad, ni una planificación estratégica dirigida al desarrollo territorial.

Consideraciones finales

Todas las regiones del territorio estudiado tienen una vocación natural y cultural muy notoria por la producción de vino y la territorialidad establecida posibilita una dinámica de desarrollo que conecta las características del paisaje con vinos de reconocida calidad, sin embargo, la economía creativa es poco utilizada.

No existe, por parte de la sociedad del territorio, una conceptualización e interpretación clara y colectiva del potencial de la indicación geográfica como patrimonio de marca de lugar. Tampoco existe, por parte del consumidor brasileño, reconocimiento y percepción de calidad de la identidad en los vinos con indicación geográfica, ni fidelidad a los vinos con indicación geográfica por el terruño de cada región.

Por ello, se propone un modelo de planificación estratégica de marketing, orientado a construir un valor simbólico y comunicar al consumidor sobre qué son las indicaciones geográficas y qué representan; una estrategia que lleve al consumidor a conocer y reconocer en los vinos con indicación geográfica un *terroir* y una relación con el origen capaz de convertirlo en una ventaja competitiva; además de una estrategia de *place branding* que conecta las indicaciones geográficas con otras potencialidades y políticas de desarrollo territorial.

La diversidad de vinos presentados como característicos de una región en detrimento de un posicionamiento con un vino que exprese el *terroir* de una manera fuerte y diferenciada dificulta la comprensión de la relación entre vino y espacio geográfico.

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The Utilization of Geographical Indication Protection System for Indonesian Coffee: Impact on Farmers and Coffee Industry

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Abstract – Coffee as one of the most traded Indonesia agricultural product, has great economic value and potential due the diversity of Indonesia Coffee caused by fertile and volcanic soils throughout Indonesia Archipelago. Since 2008, Indonesia government implementing Geographical Indication (GI) protection system to boost Indonesia Coffee production and market. This paper examines and analyse whether the GI protection for coffee production benefit Indonesia coffee farmers and industry. The positive impacts are examined and challenges are identified for the development of Indonesia GI Coffee in the future.

Keywords **– Geographical Indication, Indonesia Coffee, Indonesia GI law and policy**

Introduction: Diversity of Indonesian Coffee

Indonesia is one of the countries with large coffee production in the world. Of the seven largest Coffee Producer country in the world, Indonesia ranked fourth with total coffee production as much as 648,000 tons. Total export volume for Indonesian coffee up to year 2021 is 380,000 tons. Indonesia's 10 destination export countries are United States, Germany, Malaysia, Italy, Japan, Russia, Egypt, United Kingdom, Belgium and Canada. United States ranks first as Indonesia's destination coffee export country with total average of 67,000 tons in a year with export value of 202 million USD.

Indonesia as a tropical country in the equator located in the ring of fire of the pacific, has variety volcanic soil condition, climate and rainfall that is different one area to another, these factors affecting the Indonesia's coffee production, which is largely planted on the hills and foot of mountains. Ever since it was being introduced by the Dutch colonial government in Java at the end of 17th century, coffee plantation in Indonesia were spread throughout Java, Sumatera, South Sulawesi, Bali, Flores and Papua region. The vast majority of the coffee plantation in Indonesia is Robusta (72 percent of approximately 1,2 million hectares coffee plants in Indonesia is robusta plantation), which is absorbed by international and local instant coffee industries, however in decades along with the global increasing of specialty coffee market, demand for Indonesian Arabica coffee was also rising. Not only among the international brand specialty coffee shops, in the last decades, the cafe outlets in big cities in Indonesia, coffee entrepreneurs also competing each other to present diverse arabica specialty to their consumers. Indonesian young people attracted to cafe and coffee business in Indonesia is also increasing within the last five years throughout large cities in Indonesia, where we can find dozens even hundreds coffee shops serving local coffee in Jakarta (Indonesia's capital) and other big tourist destination cities in Indonesia.

The Use of Geographical Indication to Indonesia Coffee Trade System

With regards to the Geographical Indication, where a coffee product in the market using name of the region or location to give signal to the consumers in relation to uniqueness and special characteristic of the coffee from that certain area, Indonesia has a few historical records that also required attention from Coffee enthusiasts. In the era prior to World War II, Indonesian coffee that was exported by the dutch colonial government was known as "Java". Java is an island in Indonesia where most of coffee exported by the dutch colonial government originated from, namely west part and east part of Java. There was a record that the name of "Java" in european cafes at that time, identifying a specific variant of coffee, where that coffee originated from Java region has a distinctive flavor and taste, consumers named it as "Old Brown Java". This flavor was derived from the process of transporting coffee beans from southeast asia islands by the Dutch where those beans were stored in an "oak barrel" and dampened during the sea voyage towards Europe. After the second world war, some of Indonesian coffee naming was also famous worldwide such as "Mandheling" which is a coffee from North Sumatera, "Toraja" was a coffee name renowned in Japan coffee market that was originated from South Sulawesi in the '70s until '90s decades, and "Gayo" was originated from South Aceh mountains also famous in European coffee market in the past decade. Coffee originating from the easternmost part of Indonesia, namely "Papua" within the past five years also starting to get lots of enthusiasm from local and international coffee industries.

Despite region-based name in Indonesian Coffee marketing has been recognized long enough according to the above explanation, however not until 2008, the Indonesian government with the support from CIRAD initiated the utilization of Geographical Indication protection system to be implemented on coffee plant production in Indonesia, namely Kopi Kintamani (a region in the northeast Bali mountains) from Bali Island. Coffee is deemed as one of farming product that qualified "terroir" concept, given to soil and environment where the coffee was planted would affect its characteristic of its flavor and taste, both before roasting and after roasting. Since 2008 until this writing is created, not less than 37 registrations of Indonesian Coffee Geographical Indication were submitted by coffee farmer association and institution supported by the local government. They have high hopes that their coffee can be acknowledged by coffee consumers and national and worldwide coffee industries, which can increase demand on Indonesian local coffee which automatically impacting the local farmer welfare.

In its practice, since 2008, the use of GI to protect Indonesian local coffee products facing some

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challenges. The most significant challenge is relating with how far the use of GI protection for coffee can bring positive benefits for farmers as well as national coffee trade system. As known, the local coffee market is currently dominated by coffee producers that marketing processed and/or roasted coffee, either by instant coffee industries or roastery and coffee shops. In such kind of trade system, most of producers are trying to serve coffee with individual distinctive brand in the form of Blended Coffee. Consumer demand on a "Single-Origin" coffee is just a small part, which is around 30 percent of the total coffee demand from consumers. The use of GI protection is predicted could be beneficial to support Single Origin coffee trade system. In marketing Single Origin coffee, coffee producers are expected to guarantee the quality and characteristic of such coffee that is using certain name/region in relation with coffee that is protected by the Geographical Indication.

To analyse the impact related with Geographical Indication protection against Indonesian coffee production from local farmer perspective and national coffee industry, we conducted a series interview with coffee farmers, association of coffee geographical indication protection, and coffee industry practitioners in Indonesia since 2019. We also simultaneously conducted small Market test method on several sample of Indonesian coffee product that has registered as Geographical Indication protected coffee.

Conclusion: The Need To Enhance Indonesian Cofffe Geographical Indication Association

We concluded that there are significant impact on the Geographical Indication implementation on the coffee trade system model in several region, however, it is still required policies and more robust effort from the government and relevant parties in developing the organisation capacity and association geographical indication coffee protection in Indonesia in terms of assisting the coffee farmers to develop quality assurance strategy and quality of Geographical Indication coffee, marketing strategy and advertisement strategy, particularly introduction relating to Geographical Indication Coffee quality to the Indonesian coffee consumers on the downstream trade system at national level and overseas.

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Geographical Indications and International Trade – A Theoretical Perspective

Jakob Rackl[1], Luisa Menapace[2]

Abstract **–This paper provides a first general equilibrium model of international trade to include Geographical Indications (GIs). We construct a market with two sectors (GI and non-GI). The GI sector is modelled by adapting the cost and productivity parameters to match the stylised facts of GI production: Easier market entry through the use of a GI label with a certain reputation, lower aggregate productivity through a high level of craftsmanship in production, and collective management of the GI label. In international markets, GI producers are protected by an international agreement, where signed members are obliged to protect the GI label in their markets. This reduces fixed exporting costs for GI firms, but has to be financed by a tax on labour income. Simulating the model shows that, depending on the efficiency of the public institution in protecting the GI label in its market, it can be welfare enhancing to include GI protection in international agreements.**

Keywords **– General Equilibrium, International Trade, International Protection of Geographical Indications, Simulation**

Introduction

Intellectual property rights (IPR) protection is an important factor in global agreements governing the framework of international trade in goods and services. A prominent example is the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). Signed in 1994 by all members of the World Trade Organisation (WTO), it obligates the signed parties to adopt and enforce certain minimum standards of IPR protection (Saggi, 2016).

One important aspect of the TRIPS agreement is the protection of Geographical Indications (GIs). A GI identifies a good as originating from a certain territory, where a given quality, reputation, or other characteristics are essentially attributable to its geographical origin (TRIPS, 1994). Well-known examples include Prosciutto di Parma or Bordeaux wine. Signing members of TRIPS shall provide the legal means to prevent the use of a designation misleading the consumer about the true origin of a product and refuse the registration of trademarks containing a GI label. For the European Union (EU), GIs are an important policy tool, as they are supposed to alleviate information asymmetries between consumers and producers, promote rural development and secure local heritage, as well as protect food producers from counterfeits (Duvaleix et al., 2021). To secure the international protection of GIs by IPR law, the EU increasingly insists on integrating GI protection in multilateral and bilateral trade agreements. Other countries such as the United States (US) oppose the point of view that GIs need specific protection and argue that they should be protected under common trademark law (Josling, 2006).

Methods

Theoretical models on GI protection are usually restricted to a closed economy setting and are mostly concerned with issues such as alleviation of asymmetry of information or reputation building, see for instance Moschini et al. (2008) or Menapace & Moschini (2014). Further, most of these theoretical models assume products to be vertically differentiated, meaning that some varieties possess inherent advantages in quality over other product alternatives. The present study aims to overcome both shortcomings by providing a theoretical framework for the analysis of GI protection in international markets.

We base our model on the seminal paper by Melitz (2003), who develops a general equilibrium model in which heterogeneous firms produce horizontally differentiated varieties in a monopolistically competitive market. Firms differ in terms of their productivity, meaning that some of the least productive firms are not able to produce profitably. Because exporting involves additional costs, only the most productive firms are able to afford to sell their products in foreign countries. Within this framework, we model a market with two sectors (GI and non-GI). We construct the GI sector such that it captures the most important stylised facts associated with GIs: (i) collective reputation of the GI label, (ii) a high level of craftsmanship in the production of GI varieties, (iii) collective organisation of GI producer groups (as required by sui generis GI legislation such as in the EU), and (iv) ex officio protection of the GI, meaning that a public institution proactively takes measures to avoid misuse of the GI name and counterfeiting of GI products. Based on these features, we derive the following results.

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Results

The higher the level of reputation of the GI label, the higher are expected profits in the GI sector. Hence, more GI firms enter the market, increasing competition in the GI sector. The least productive GI firms are pushed out of the market and are partly replaced by non-GI firms, yielding an economy characterised by a lower share of incumbent GI firms. Conversely, the higher the level of craftsmanship in GI production, the lower are expected profits and thus the lower the competition among GI firms; the share of incumbent GI firms increases. Further, collective organisation inherits a positive externality, because each additional member reduces the cost of production for all incumbent GI firms. As individual firms do not consider this effect in their entry decision, a subsidising the GI collective increases welfare in the closed economy by fostering entry of GI firms.

We further develop the equilibrium defining system of equations based on the assumption that firms draw their productivity from a Pareto distribution. This allows us to simulate the model and determine the optimal level of GI protection in international markets under different circumstances. International protection of a GI implies that some of the costs of protecting the GI in foreign markets are shifted from the producers to a public institution. We assume that a higher level of GI protection is represented by a larger share of these costs being covered by the public institution. This type of GI protection thus reduces the fixed exporting costs for GI firms, as they have to spend less to protect the GI label abroad. Through an efficiency parameter of public GI protection, we model potential efficiency gains arising from IPR protection carried out by a public institution for the entire GI sector instead of by individual GI firms. The higher the efficiency of the public protection activity, the lower the amount of costs arising for the public institution per unit of costs covered from the GI firms, and the higher the welfare maximising level of ex officio protection.

In our main calibration of the model, where about 6% of GI firms export and the public institution is equally efficient in the protection of the GI label as the GI firms, it is welfare maximising for the public institution to cover 77% of the fixed exporting costs from GI firms (see fig. 1 for a stylised depiction of the relationship between welfare and international GI protection). Compared to a situation where GI firms cover the fixed exporting costs by themselves, average profits in the GI sector increase by 50%, while average profits in the non-GI sector remain unaffected. International GI protection further has a positive effect on the extensive margin of trade (more GI firms trade if they are protected) and a negative impact on the intensive margin of trade, as the exported quantity per GI firm decreases (because the GI firms who export are less productive on average). The number of available GI varieties (domestically produced and imported) increases by 6.4%, while the number of available non-GI varieties decreases by 0.015%. Overall welfare increases by 0.07%. Welfare gains can be significantly higher when we assume that the public institution is more efficient in GI protection than individual GI firms. For example, if the public institution is twice as efficient in the protection of the GI label, then it is optimal to cover the full costs of protecting the GI abroad. Welfare in the scenario with full protection compared to the scenario with no protection increases by 0.8%. These results suggest that including GI protection in international agreements can in many cases lead to welfare gains for the participating countries.

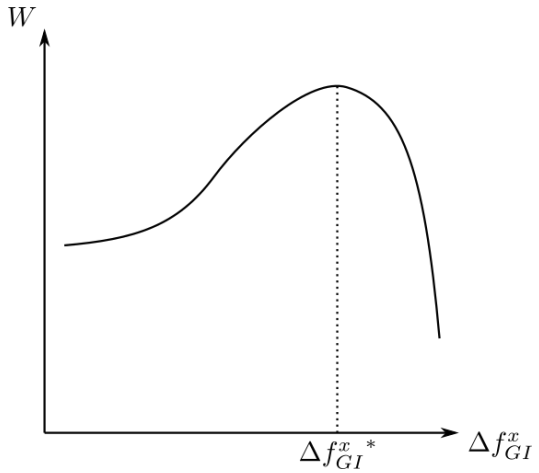


Figure 1. Welfare (W) as a function of international GI protection (Δf_{GI}^{x}). The optimal level of GI protection is denoted by Δf_{GI}^{x*}: The higher Δf_{GI}^{x*}, the lower the exporting cost faced by GI firms.

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Geographical Indications: The Nexus between the Commodification and the Preservation of Food Commons

S. Steinegger, J.-D. Gerber, C. Oberlack[1]

***Abstract* – Geographical Indications bear great potential to protect collective intellectual property rights to the reputation, know-how, and biocultural heritage associated with place-based food, from market appropriation. Nevertheless, the increasing market demand for enhanced food safety, traceability, and authenticity suggests that Geographical Indications are the object of conflicting priorities between the commodification and the protection of food commons. We suggest that conceptualizing Geographical Indications as an instrument that can either turn food into commodities, or protect food commons, is useful to assess (a) whether they are able to preserve the value-based, non-monetary dimensions of food that are specific to the socio-ecological context, and communities' self-organized institutions and collective action in which it is embedded, or (b) whether they reduce food to their tradeable dimension and monetary worth. To this aim, we present a conceptualization of food commons, which in a next step will be empirically applied.**

***Keywords* – collective action, biocultural heritage, food value chains.**

Introduction

According to the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS), Geographical Indications (GIs) attribute a certain quality, reputation, or other characteristics of food to its geographical origin. Although the institutionalization of GIs varies internationally, two predominant systems can be distinguished: the integration of GI regulation in trademark law led by the United States, and the *sui generis* system developed by the European Union (Barham & Sylvander, 2011). Whereas trademark law constitutes a self-regulated system of private law, the *sui generis* system involves stronger state intervention in verifying the link between products' quality and their geographical origin (Marie-Vivien & Biénabe, 2017).

In particular, the *sui generis* system establishes a close connection between food and its socio-ecological context by requiring value chain actors to collectively organize and define their own codes of practices (Barham & Sylvander, 2011; Marie-Vivien & Biénabe, 2017). Studies have concurrently emphasized the importance of trust-building, collective action, and the consolidation of shared values among value chain actors for the successful implementation of GIs (Barham & Sylvander, 2011; Vandecandelaere et al., 2021). GIs thus bear great potential to protect collective intellectual property rights associated with reputation, know-how, and biocultural heritage from market appropriation (Barham & Sylvander, 2011; Conneely & Mahon, 2015; Maye et al., 2016).

We claim that conceptualizing food as commons is essential to evaluate whether GIs can hold their promise of protecting value-based dimensions of food, and of empowering food value chain actors. This approach allows to analyze to what extent GI registration leads to a renegotiation of the use of, benefit from, decision-making about, and property rights to food commons, and to what extent GIs eventually protect food commons from commodification (i.e. market-based exchange and valuation; see Gerber & Gerber, 2016). We will first introduce the conceptualization of food commons, after which we will discuss its application to GIs and give an outlook on its empirical application.

Food commons

The Ostrom school has shaped the research agenda on the commons in the last decades. Ostrom (1990) defines common-pool resource institutions as self-organized regulation of resource use situations in which users are difficult to exclude, and in which resource use is rival. While Ostrom's "design principles" are useful to study the self-organized allocation of use rights in homogenous resource use situations, it does not consider the collective action through which communities co-produce resources in heterogenous resource use situations (De Angelis & Harvie, 2014).

We claim that particularly in the context of food, the latter needs to be understood more broadly. According to Vivero-Pol et al. (2019), conceptualizing food as commons allows to re-consider the multiple values of food for society, rather than reducing food to its tradeable dimension and monetary worth at the source of its commodification. Furthermore, it takes into account how the value-based, non-monetary dimensions of food, such as constituting a cultural determinant, emerge through and are maintained by communities' self-organized institutions and collective action.

Therefore, we build on the post-capitalist approach to commons (Bollier, 2021; Gibson-Graham et al., 2016; Sato & Soto Alarcón, 2019; Vivero-Pol et al., 2019), and define food commons as involving (a) a combination of material and non-material resources (e.g. seeds, land, know-how, cultural meanings and practices around food); (b) a community that co-produces and collectively uses

resources; (c) collective institutional arrangements and practices of shared ownership, shared decision-making and shared responsibilities that re-valorize the non-tradeable dimensions of food accounting for its embeddedness in socio-ecological systems.

Geographical Indications at the Nexus between the Commodification and Protection of Food Commons

GI registration potentially protects food production systems and their associated reputation from market appropriation; nevertheless, in establishing unique selling propositions of origin-based food, GIs respond to the international market that increasingly demands a quality segmentation for enhanced food safety, traceability, and authenticity (Barham & Sylvander, 2011; Maye et al., 2016; Conneely & Mahon, 2015). Therefore, GIs are the object of conflicting priorities between the protection of food commons and their dissolution into commodities.

For instance, exogenous actors with more powerful positions might appropriate the subjective values associated with place-based differentiated food, leading to their disintegration and the eventual degradation of material resources (Conneely & Mahon, 2015; Vázquez Macías & González, 2015). Furthermore, the definition of the codes of practice according to market demand and commercial standards bears the risk of dis-embedding food and food production systems from their context, and of transforming them into commodities (Galtier et al., 2008).

With our preliminary conceptualization efforts of food commons, we aim to contribute to the debate on GIs' effect on the protection or commodification of food commons (e.g. Galtier et al., 2008; Quiñones-Ruiz et al., 2015). Given that GI regulation is adopted by an increasing number of countries worldwide and that GI-related policy objectives increasingly include goals of regional development as well as the conservation of biodiversity and traditional knowledge (Marie-Vivien & Biénabe, 2017), exploring this nexus is essential. This is why in a next step, we will apply this conceptualization to a comparative case study of GIs in Switzerland and in Peru.

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K.1 Différentes approches pour mesurer et améliorer la durabilité des IG

Indicadores de Sostenibilidad de las DOP de aceite de oliva en Cataluña.

Guadarrama-Fuentes O.V., Colomer D., Morcillo Y., Gil J.M.[1]

Resumen **– Las indicaciones geográficas surgieron con una finalidad económica que trataba de hacer viables producciones ligadas a un territorio, a variedades locales, normalmente poco productivas, y sistemas tradicionales de producción con bajos rendimientos y elevados costes. En este sentido, diversos trabajos se orientaron al análisis de los beneficios económicos y en menor medida, por la sostenibilidad. Estos últimos han desarrollado herramientas complejas, con una gran batería de indicadores con un excesivo coste de recogida de información. En este sentido, el presente trabajo presente un enfoque simple y fácil de monitorizar, empleando información secundaria complementada con información primaria de los consejos reguladores. La metodología es una adaptación el enfoque SAFA-FAO, integrado por 35 indicadores los cuales constituyen un indicador sintético, cuyos pesos se obtuvieron mediante el Proceso Analítico Jerárquico Difuso, aplicado a las 5 DOPs de aceite en Cataluña. Los resultados destacan la importancia de los beneficios económicos que han influido en la creación de la mayoría de DOP e IGPs, la heterogeneidad de los las estructuras de gobernanza y el compromiso por la protección del medio ambiente. La herramienta propuesta tiene margen de mejora, principalmente en los indicadores ambientales y sociales.**

Palabras clave: SAFA-IG, Sostenibilidad DOP, aceite de oliva catalán.

INTRODUCCIÓN

El sistema de Indicaciones Geográficas (IG) puesto en marcha por la Unión Europea ha permitido reconocer la calidad diferenciada de un alimento atribuible tanto al medio geográfico como al saber hacer tradicional. El número de alimentos certificados bajo el sello IG ha crecido en las últimas décadas, lo que también ha estimulado una abundante literatura dedicada a analizar los impactos, económicos, sociales, ambientales y de gobernanza de las IG (Conneely & Mahon, 2015) Algunos trabajos han considerado una perspectiva holística y multidimensional cuyo objetivo se enfoca en un análisis global del sistema IG: Sin embargo, la mayor parte de estos trabajos requieren de procesos de cuantificación de indicadores bastante complejos y que requieren un gran volumen de información y análisis, lo que no permite la monitorización del impacto de las IGs con cierta frecuencia. El presente estudio pretende ofrecer una herramienta de análisis basado en la recopilación de datos de fuentes secundarias, fácilmente replicable y, sobre todo, que permite una interpretación de los datos al alcance de los principales actores involucrados en la cadena.

METODOLOGÍA

El enfoque que se toma en este trabajo consiste en la adaptación del método SAFA (Sustainability Assessment for Food and Agriculture systems) desarrollado por la FAO, inicialmente diseñado para una evaluación cualitativa y cuantitativa de la sostenibilidad de las empresas (FAO, 2013). En este estudio se adapta dicho enfoque al análisis de sistemas alimentarios. Para ello se ha realizado una selección de 35 indicadores: 7 económicos, 11 de gobernanza, 8 ambientales y 9 sociales. Asimismo, para evitar posibles conflictos entre indicadores con resultados contradictorios, en este trabajo proponemos la utilización de un indicador sintético de sostenibilidad (ISS-IG).

Para calcular dicho indicador, se ha recurrido a una técnica de programación multicriterio, conocida como Proceso Analítico Jerárquico Difuso (PAJD), método que parte del PAJ desarrollado por Saaty en 1980 y que incorpora la lógica difusa con el objetivo de asignar ponderaciones a cada indicador. La herramienta parte la realización, por parte de expertos de comparaciones por pares entre los diferentes indicadores. La lógica difusa permite eliminar la ambigüedad y la subjetivad de los participantes (Saaty, 1980; van Laarhoven & Pedrycz, 1983).

La comparación por pares fue realizada por 55 personas del sector IG, contando con 17 representantes de DOP, 8 de IGP, 6 representantes de las autoridades autonómicas y 24 investigadores de diferentes áreas. Para obtener los datos de cada indicador se utilizaron diversas fuentes de datos secundarias: informe de DOP e IGP del Ministerio de Agricultura (MAPA) y del Departamento de Acción Climática de la Generalitat de Catalunya (DACC); Bases estadísticas de los municipios de Cataluña (IDESCAT); base de datos financieras españolas (SABI), base de datos Europea de las IG (e-Ambrosia) y un reducido cuestionario complementario destinado a los secretarios de las 5 DOP de aceite de oliva catalanas: Baix Ebre i Montsià, Les Garrigues, Empordà, Terra Alta y Siurana.

RESULTADOS

Los resultados se presentan en 3 secciones: la primera consiste en la obtención de las ponderaciones de los pilares de la sostenibilidad, la segunda la ponderación de los indicadores y la última, la aplicación del ISS-IG a 5 casos de estudio correspondientes a las DOP de aceite de oliva de Cataluña

Ponderación agregada de la sostenibilidad.

A partir de los resultados de los 55 participantes, en primer lugar, se obtuvo la ponderación de cada grupo agregado de indicadores que representan los cuatro pilares de la sostenibilidad (económicos, sociales, ambientales y de gobernanza) (Tabla 1)

Tabla 1Ponderación global de los pilares de la sostenibilidad

Indicador agregado	Ponderación (%)
Pilar Económico	40,88%
Pilar Social	21,37%
Pilar Ambiental	20,07%
Pilar de Gobernanza	17,68%

La importancia del pilar económico destaca sobre el resto de los pilares, coincidiendo con la literatura que

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destaca el papel que los beneficios económicos representan para el éxito de la implementación del sistema IG en Europa.

Ponderación de los indicadores del ISS-IG

En una segunda fase se calculó la importancia de cada indicador individual con respecto a su pilar, para así obtener la ponderación individual de cada indicador respecto al total multiplicando el peso de cada indicador por el de su grupo (tabla 2). Como se puede observar, existe una marcada preponderancia de los indicadores económicos con respecto al resto, siendo los menos importantes los indicadores de gobernanza.

Tabla 2 Ponderación individual de los indicadores del ISS-IG

Indicador	Ponderaciò ISS-IG
E5 Orientación al mercado local y nacional	10,00%
E3 Margen Comercial	9,10%
E2 Diferencial de precio	6,43%
E1 Certificación del producto	5,60%
E4 Beneficio	4,74%
A1 Fomento a la biodiversidad local	4,46%
S1 Calidad de vida	3,88%
G9 Protección legal de la IG	3,67%
S8 Reputación	3,47%
S9 Responsabilidad social de la IG	3,37%
S3 Oportunidad de empleo	3,34%
A2 Modificaciones al PdC	3,27%
A8 Gestión de los residuos	3,15%
A4 Calidad del agua	3,11%
G3 Implicación de los inscritos	3,11%
E7 Dinamismo de la IG	2,97%
A5 Calidad del suelo	2,25%
G2 Comunicación interna	2,22%
S5 Contribución al desarrollo del territorio.	2,22%
G10 Integración y formación de los inscritos	2,08%
E6 Inversión	2,04%
A7 Circularidad del envasado	1,98%
G1 Composición del CR	1,93%
G8 Gestión integral	1,89%
S2 Salarios	1,74%
S7 Agroturismo	1,49%
S4 Impacte social	1,28%
A3 Calidad del aire	0,95%
A6 Energía renovable	0,90%
G11 Gestión de la vulnerabilidad de la IG	0,75%
G5 Exclusión de inscritos	0,71%
G4 Entrada de nuevos inscritos	0,64%
S6 Equidad de género	0,58%
G6 Vinculación productiva de los inscritos	0,52%
G7 Disponibilidad de cartera de proveedores	0,15%

Para ofrecer una visión más gráfica de la sostenibilidad de cada DOP se ha diseñado un gráfico que permite combinar el desempeño de cada indicador con respecto a su importancia, el cual se asocia con los cada uno de los 4 elementos de la matriz DAFO (Fig. 1).

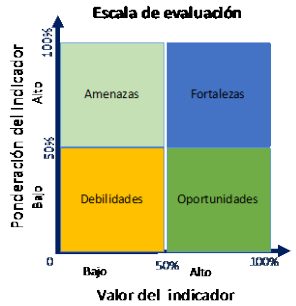


Figura. 1 Matriz DAFO aplicada al ISS-IG

Aplicación del ISS-IG a las DOP-AOVE catalanas

En términos globales, las DOP tuvieron un buen desempeño en los indicadores, alcanzado un ISS—IG global aceptable, como se indica en la tabla 3

Tabla 3 Valores de sostenibilidad para cada DOP

DOP	ISS-IG
Baix Ebre i Montsià	48.91
Les Garrigues	67.56
Empordà	66.51
Terra Alta	62.71
Siurana	60.50

De acuerdo a los resultados de la tabla 4, en las 5 DOP se observa una marcada contribución del pilar económico, seguida en todos los casos por el pilar social, siendo en la mayoría de casos el pilar ambiental el que tiene una contribución marginal. Con respecto al pilar de gobernanza, se observa un buen nivel de contribución, debido en parte a que la legislación catalana regula diversos aspectos de la conformación de los CR, los criterios de incorporación y expulsión o baja de los socios, por medio del manual de calidad, obligatorio para todas las DOP e IGP.

Tabla 4 Contribución de cada pilar al ISS-IG

DOP	Económico	Social	Ambiental	Gobernanza
Baix Ebre i Montsià	37.61%	30.68%	8.80%	22.92%
Garrigues	43.40%	25.66%	8.59%	22.35%
Empordà	49.50%	21.44%	11.35%	17.71%
Terra Alta	42.12%	25.69%	15.80%	16.39%
Siurana	37.88%	24.96%	21.34%	15.82%

En la figura 2, se observa la distribución media de los indicadores de las DOP; en especial en los cuadrantes superiores que es donde se ubican los indicadores de mayor peso en el indicador. De acuerdo a los resultados las 5 DOP tienen un buen desempeño en la certificación del Producto (E1), la orientación al mercado local (E5), el fomento a las variedades protegidas por el PdC (A1), la reputación del producto (S8), la responsabilidad social de la DOP (S9) y la calidad de vida de los municipios DOP (S1). Sin embargo, se tiene un bajo desempeño en el diferencial de precio (E2), el dinamismo de la DOP (E7) y la incorporación de elementos de sostenibilidad ambiental en los PDC (A2).

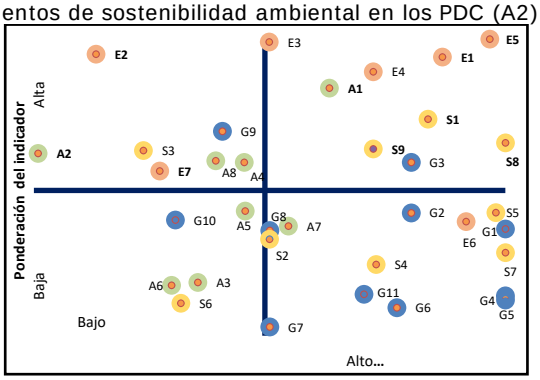


Figura. 2 Distrbucion media de los indicadores para las 5 DOP de AOVE

Consideraciones finales

A la luz de los resultados se concluye que, este en este trabajo, presentamos un enfoque que, si bien no es perfecto, está basado en un principio de simplicidad y replicación. Se ha diseñado un enfoque en el que la recolección de información primaria se redujese sustancialmente y se concentrase en los Consejos Reguladores, no en las empresas inscritas. Probablemente el grado de precisión es menor, pero se gana en simplicidad y capacidad de monitorización.

El objetivo, es el de ofrecer una herramienta de fácil reproducibilidad, que muestre la situación actual, que permita hacer una foto dinámica en el tiempo. No se trata tanto de centrarnos en el valor de un indicador en concreto, sino en su evolución en el tiempo. Por otro lado, lo que se trata es de medir la sostenibilidad desde la perspectiva de la DOP en su conjunto, a nivel institucional. En otras palabras, hasta qué punto la existencia de las DOPs ha contribuido a mejorar las condiciones económicas de sus socios, a mejorar las condiciones sociales de los habitantes de los municipios DOP o hasta qué punto han favorecido la aplicación por parte de sus socios de medidas tendentes a reducir su impacto ambiental. Es cierto que parte de la información proviene de las empresas, pero a través de bases de datos ya existentes. La recolección de información primaria se ha minimizado y se ha centralizado en los Consejos Reguladores

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The potential of Geographical Indications (GI) to enhance Sustainable Development Goals (SDG) in Japan, with GI Mishima Bareisho potato as a case study

J. Kimura. & C. Rigolot[1]

Abstract **– Geographical indications (GIs) have recently become an important tool for Japanese agricultural policy, particularly after the adoption of a "sui generis" certification system in 2015. In the same year, the United Nations proposed a common agenda with 17 Sustainable Development Goals (SDGs). The present paper addresses the potential of GIs to enhance SDGs in Japan. First, we examine existing knowledge on GI inception, which consists in both government reports and research surveys. We show that these studies mostly focus on SDGs related to economic growth, and on social issues raised by the registration process. Then, as an exploration of potential impacts of GIs on the full set of SDGs, we study the case of Mishima Bareisho Potato GI, on the basis of interviews and participatory observation. From local stakeholders' point of view, Mishima Potato GI can contribute to at least nine SDGs at all the production, transformation and commercialization stages. The SDG framework is useful to reveal some contributions seldomly considered in GI studies but which matter for local people, for example, the employment of disabled people or nutritional education. Finally, we discuss how these new insights can contribute to the debate on the potential role and limits of GIs for sustainable development in Japan.**

Keywords **– Geographical indication; Sustainable development goals; Rural development.**

INTRODUCTION

Geographical indications (GIs) have recently become an important tool for Japanese agricultural policy, particularly after the adoption of a "sui generis" certification system in 2015 (Kimura, 2019). In March 2022, 120 agriproducts and foodstuff are registered as Japan GIs. This rush is partly due to the EU-Japan Economic Partner Agreement (EPA) validated in February 2020 where GI products are to be mutually protected, and partly because just like South European countries, Japan has diversity in agriproducts and foodstuff thanks to various geographical features and food cultures (Bestor, 2014; Kimura, 2019).

In 2015, the United Nations proposed a common agenda with 17 Sustainable Development Goals (SDGs), integrating the economic, ecological and social dimensions of sustainable development (Caron et al., 2018). This research addresses the potential of GIs to enhance SDGs in Japan. First, we examine existing knowledge on GI inception in Japan, which consists in both government reports and research surveys. Government reports emphasize indicators such as the elimination of counterfeit products, expansion of transactions and price increase. This correspond mostly to SDGs related to economic growth. Academic research surveys have investigated social issues raised by the GI registration process. For example, studies show how social networks can generate different pathways in the creation of new GIs, sometimes associated with important controversies (Sekine and Bonanno, 2017). Some authors have also highlighted the gap between stakeholder's expectations and the observed effects before and after GI registration (Tashiro et al., 2018). However, we found no study proposing a comprehensive sustainability investigation of GI inception in Japan yet, explicitly considering the full set of SDGs.

METHODOLOGY

Then, as an exploration, we study the case of Mishima Bareisho Potato in Shizuoka prefecture, which was registered in October, 2016. From 2016 to 2018, just before and after the GI registration, one of the authors visited the production area four times and 19 key stakeholders have been interviewed with participatory observation of their works. These include (i) farmers and one fruit and vegetable market; (ii) One processing company and two retail stores; (iii) four local institutions (Japan Agricultural Cooperative (JA), the Mishima municipality, the Mishima Tourism Association, the Mishima Chamber of Commerce and Industry); (iv) four restaurants and cafés. Interviews were semi structured, with questions covering all aspects of Mishima potato and GI certification value creation by stakeholders' activities. As a first step for the analysis, networks and interactions between stakeholders have been characterized and mapped. Then, the SDG framework has been used for interpretation, to identify all potential contributions of Mishima potato GI to sustainability of product origin, at the production, transformation and commercialization stages (Kimura and Rigolot, 2021).

RESULTS

On this basis, the analysis shows that Mishima Bareisho potato GI can contribute to at least nine SDGs; No Poverty(#1); Good health and well-

being(#3); Quality Education(#4); Gender Equality(#5); Affordable and clean energy(#7); Decent work and economic growth(#8); Responsible Consumption and production(#12); Biodiversity(#15); and Partnerships(#17). For example, at the production stage, educational farms for school children are developed; GI registration encourages young farmers, and the employment of women and disabled people. At the transformation stage, the processing company which produces Mishima croquettes employs local people. By purchasing B-class potatoes without lowering the price from the farmers, it contributes to economical support for the farmers. At the commercialization stages, the local restaurants offer menu with Mishima croquette, and Mishima municipality held the National Croquette Contest which are attracting tourists to visit the region. Healthy and environment-friendly practices are encouraged, i.e. development of new non-fried products, zero waste, zero kilometers, which are only possible with collaborative activities among stakeholders (Kimura and Rigolot, 2021).

DISCUSSION

As a conclusion, the Mishima Bareisho potato case study illustrates how the close connections of GI products to their local environment (natural and socio-cultural) can translate into positive contributions to several SDGs. However, it should be easily understood that not all certified Japanese GIs contribute similarly to SDGs. As regard the social dimension of sustainability, the creation of GIs has rather generated tensions and conflicts between stakeholders (Sekine and Bonanno, 2017), to the extent that one GI registration has even been cancelled (matcha tea). From an environmental perspective, GI registration might reinforce unsustainable systems such as landless beef production based on large amounts of imported feed (Augustin-Jean and Sekine, 2012). To better understand trade-offs, it would be interesting to combine the SDG framework with integrated assessment tools (Arfini and Bellassen, 2019) and more dynamic transition theories (Belmin et al., 2015).

To enhance the potential of GIs (in synergy with other agricultural policies), the SDG framework can be considered as a useful tool to support decision-making and governance and to align local action with global priorities. In conclusion, the positive links observed with SDGs in the Mishima Bareisho potato case study indicate that the stakeholders should work together to revitalize the community while maintaining the spirit of the commons, as developed elsewhere by Castello et al. (2022). It is important to regard the products as unique common goods of the community, and to engage in activities that give residents joy and make them want to live in Mishima, rather than mere products sales promotion (Kimura, 2019).

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A collective marketing strategy to assess and manage the sustainability of Geographical Indications. The case of Parmigiano Reggiano PDO.

R. Arciprete[1], F. Arfini[1], R. Filippini[1]

***Abstract* – The paper proposes an innovative methodology which frames the brand manifesto of Parmigiano Reggiano into the FAO SAFA indicators. In this way, it is possible to better monitor the sustainability of the food system and develop a more effective communication marketing strategy about the Geographical Indication's sustainable production.**

***Keywords* – sustainability, marketing, geographical indications, SAFA.**

Introduction

The "Food to Fork" strategy was launched by the European Commission in 2020 to redesign sustainable food systems, considering the sustainability as the result of a strategy based on the territory, where the environment, the economy and the social dimensions are integrated. According to literature, Geographical Indications (GIs) and their legal protection and promotion institutions, can support the sustainability of the food system, since GIs naturally generate public goods and meet sustainability expectations expressed by consumers and society, representing an additional quality plus on the market (Arfini, F. et al., 2019). Products under GIs specifications are characterised by a strong embeddedness with the local territory, which is given both by natural elements, such as soil and climate conditions, and anthropic factors, such as cultural practices and traditional knowledge. GIs products differentiation, their higher value price on the market, together with their high-quality environmental and local resources protection system and collective enhancement of the territory, can clearly promote the environmental, social and economic sustainability of the system. The public registration of a GI product could indeed catalyse a series of positive externalities generating added value for the local community, beyond the farmers that are directly involved in that precise supply chain. In this sense, GIs can be fundamental in supporting rural development. Furthermore, they encourage local actors' self-esteem about the role they play within the system, they strengthen local identities and promote the generation of tourist flows, especially thanks to a solid identity reputation of the area.

Up to the present, more than 10.000 GIs have been registered worldwide with a commercial value of over $ 50 billion. In Italy the consumption of GIs has meaningfully increased during the last ten years, showing consistent export values, and contributing up to the 20% of the national agri-food sector economy. (ISMEA, 2020).

Despite the huge market and the contribution to the sustainable development of rural areas, there is a lack in monitoring, acknowledge and frame all the dimensions of the sustainability by the stakeholders of GIs, such as farmers and consortium that manage its food chain. This results in a lack of capacity in properly communicate the actual sustainability of GIs to the consumers.

The aim of the paper is to develop a methodology for the assessment of the overall sustainability of GIs to properly address the communication marketing strategy towards consumers and territorial stakeholders. The methodology is applied on the Parmigiano Reggiano Local Agri-Food System (LAFS), which food supply is managed by the Parmigiano Reggiano Consortium (CFPR).

With this contribution, we aim to provide to the consortia management of GIs an operative tool to focus on its own productive activities enhancement, to achieve a more sustainable fulfilment, implement an effective communication system toward consumers and therefore communicate in an accessible and understandable way where, how and why the product is sustainable.

Methodology

The CFPR has developed a brand manifesto which present the Mission of the Consortia and describes the features of sustainability of the Parmigiano Reggiano with respect: environment, animal welfare, nutrition and wellbeing, community, territory. In order to properly assess the effective sustainability of farms, this study applies the framework of FAO SAFA indicators (FAO, 2014). With the SAFA indicators, FAO frames the sustainability of the farming system around 4 main pillars: Environmental integrity, Economic resilience, Social well-being, Good governance. By using this framework of analysis, (1) it is possible to have a more harmonized understanding of the sustainability of the GIs food chains in order to better

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understand in which dimensions GIs are more sustainable; (2) the societal values trough the brand manifesto can be better communicated to consumers and to local stakeholders.
Being the research a pilot analysis, the data came from three farm dairies, producing Parmigiano Reggiano cheese strictly from their own milk, respectively representative of hill, mountain and plain areas. Despite this narrow application area, this pilot project could then be extended to social and private dairies.
Two different data sources have been applied: to collect an impartial data set, several information have been directly provided by the CFPR, while the remaining material, gathered in a questionnaire, was than collected through producers' interviews.
The data acquired on the three farms, were thus processed to create two different indexes: (1) a dimensional index, which shows the observed value of a single variable and led to the comprehension of a specific indicator performance, (2) and a synthetic one, which, on the contrary, shows an overall view, it aggregates different parameters and led to a systemic understanding of the sustainability level of the CFPR farm dairies.

Results

The results of the synthetic indexes at farm level show that the hill dairy has a better performance in terms of environmental sustainability (forage self-sufficiency and crop diversification) and animal welfare dimension. The plain dairy obtained instead better results in terms of economic performance and of community sustainability. The mountain farms showed good results in terms of animal welfare and "Nutrition and wellbeing" dimension.
Following the dairy activities results, the hill reference achieved higher scores in terms of environmental resilience and in terms of "Nutrition and wellbeing", while the mountain dairy achieved higher scores in terms of community sustainability (thanks to a wider participation to local fairs, exhibitions and events). From an economic perspective, similar results have been achieved by the three samples.
In general, the results showed an overall positive performance of the system, especially in terms of animal welfare (thanks to high standards in terms of wide boxes, free range and high quality animal feed products), local territory impact (soil and identity features) and surrounding community involvement; more specifically, concerning the environmental dimension, good outcomes were obtained thanks to low intensity farming methods of the three dairies under observation, which in turn are strictly linked to low-intensity livestock pressure on the soil, and therefore to low animal waste, nitrogen and carbon amount release. Positive results were also recorded in terms of production efficiency, which has beneficial effects not only on the environment (food waste amount), but also on the overall system economy (disposal costs investments). Moreover, evidence of internal and external social sustainability came to light: the first could be linked to the large contribution and involvement of the family members in dairies management decisions, to the low average age of the family components that work in the farm (around 44 years old) and their inclination towards new technological changes. The latter is rather given by good local community involvement in different types of activities such as farm visits or school laboratory experiences.
Moreover, the use of non-chemical fertilizers or synthetic pesticides and the alfa-alfa cultivation is also fundamental regarding the overall sustainability performance of the system. All these elements prove how important is the Code of Practice in giving fundamental guidelines to producers as well as rules with significant positive impacts on the system.
On the contrary, some critical issues between the three samples were observed in terms of environmental sustainability (energy sources, employed fuel, water consumption amount) and economic resilience (commercial strategies and stability in markets). Furthermore, a high rate of male employees and a low employment rate have been recorded from producers' interviews. Finally, it has been pointed out that further research should be conducted in order to realize a better understanding of the overall organic matter status of the soil.

Discussion and Conclusion

Consumers have a key role in supporting more sustainable value chains only if they are properly informed about the products they buy and consume every day. This is the reason why they should not be considered as simple marketing targets from the food industry, which should instead start thinking about new and effective ways to better communicate to their consumers their sustainability efforts.
In this scenario, GIs could be good starting points to better explore the issue; owing to the fact they are easily associate to sustainable productive systems, more likely than common and standardized food products, they could be exploited to test new communication and marketing strategies which accurately come from a sustainability assessment. This study has thus designed practical tools which turn useful for food companies and GIs Consortia in monitoring the sustainability of their food system, in order to better communicate it to consumers.

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Fostering Indian foodstuffs GIs for sustainabledevelopment

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Abstract **–**In a country like India which is unique for its culinary diversity, food has several functionsbeyond nutritional value. It represents core cultural, region-climatic, beliefs and has takena centre stage in the tradition in various communities. As such unique foodstuffs have givenplaces their identity and vice-versa. In order to protect the vast bio-resources as well as traditional and cultural aspects, Geographical Indications (GI) protection is the most effective form of protection to protect both the product and the interests of the communities. Since the implementation of the GI Act 1999, only seventeen foodstuffs had acquired GI registration in India. The registration of the products as GI is a first step of the protection process, but post registration fostering GIs is equally important to conserve and preserve the GIs. GI is an important tool for the developing countries, the origin – linked products are intensely associated with the specific local resources as well as the community. GI protectionnot only adds values to the production system, rather also creates a synergic relationshipbetween the economic and social pillars of sustainable development. In view of the policyand law context, the present study aims to provide an analysis of the foodstuffs GI in India, their socio-economic impacts and suggestive framework to foster the products and develop the community. Further, the relevance of foodstuff GIs in the overall sustainable development with respect to economic, social, environmental, cultural and other impacts in Indiaare discussed by case studies of selected foodstuff GIs. The producers of selected foodstuff GIs were interviewed and analysed to understand the impact of the GI registration on the food products. Then we explore the potential impacts of GI registration on the sustainable development through the data collected through observing and interviewing the producers and the communities attached with the production practices and livelihood dependence onfood GIs. Registered foodstuff GIs have been considered for the purpose of the study. The analysis revealed interesting insights into the registration, post registration challenges associated with these GI and certain key aspects that need to be considered from a policy perspective to foster the GI. The authors in this study finally summarises the sustainability impact and proposes some measures to promote the sustainable development of foodstuffs GI in India.

INTRODUCTION

India is a land of food diversity which has religio-cultural basis. Food has not only gastronomic values, but also signifies traditions and community identity. Foods share a unique symbiotic relationship with its people and place of origin. The qualities and the characteristic features of a geographical place of origin are inherent to the foodstuffs.Local agro-ecological and cultural characteristics of the products are valued and protected in many countries throughout the world in the form of the Geographical Indications (GIs) also. Under TRIPS obligation India enacted the Geographical Indications (Registration and Protection) Act, 1999, where foodstuffs expressly come under the definition of goods under section 2(f) of the Act. A total of only 17 Indian foodstuffs have been registered as GI in India. The UN sustainable development goals (SDGs) cover all three dimensions of sustainable development i.e. social, economic and ecological.

International studies (by FAO, UNCTAD) indicate that GI protection can be implemented as a tool for sustainable food systems and rural development. GI protection is expected to improve the market value of the product through premium pricing, enhance competitiveness and improve economic development (Jena & Grote, 2010). The economic impact, 'quality' factor of GI and marketability has been studied (Rangnekar, 2004; Jena & Grote, 2010; Calboli & Gervais, 2016; Vandecandelaere et.al, 2018). There are no studies Indian foodstuff GIs and their relation with sustainable development. Fostering GIs is very essential for their sustainable development. The objective of this study is to analyse the registration, post registration impact and to suggest the measures for achieving the SDGs for foodstuff GIs.

METHODOLOGY:

Four Indian foodstuff GIs Banglar Rasogolla (GI 533), Hyderabad Haleem (GI 193), Dharwad Pedha (GI 80) and Ratlam Sev (GI 434) are selected for the study.Processed foodstuff GIs, availability of authorised users registration and unique characteristics features are the aspects considered for the study.Prosecution details of foodstuff GIs were accessed from the GI registry website. Field visits related to the four foodstuff GI were undertakenin a span of 18 months (including pandemic time) through interviews with different stakeholders (producers/ authorized users, facilitators). SDG 3 (Good Health and Well- being), SDG 4 (Quality Education), SDG 8 (Decent Work and Economic Growth), SDG 11 (Sustainable cities and communities) factors were utilised to develop a Likert scale approach to analyse the impact for 4 GIs.

RESULT AND ANALYSIS

Food GIs registration in India started in 2007. Dharwad Pedha was the first foodstuff to be recognized as a GI. The analysis of the four foodstuff GI revealed certain interesting aspects. The unique attributes of these GIs are shown in Table 1.

Table 1: Unique attributes of selected food GIs in India

Food stuffs	Origin	Characteristics					
		Religious importance	Human skill	TK	Climatic factors	Cultural factors	Natural resource
GI 434	Ratlam						
GI 533	West Bengal except Darjeeling						
GI80	Dharwad						
GI 193	Hyderabad						

Source: Compiled by the author from registered GI documentation and from personal interviews

With regard to marketability, Hyderabad Haleem, Dharwad Pedha, and Banglar Roshogolla has demand both in the domestic and international markets. Authorised users registration has been done for two GIs i.e. Hyderabad Haleem and Banglar Rasogolla. While Dharwad Pedha has only one authorised user which is the family itself, Ratlami Sev Part B registration is ongoing.Inspection Body representatives vary among all these GIs and Hyderabad Haleem is the first foodstuff GIs for which standards have been developed. The major problem with these foodstuffs is perishability, lack of technical support as well as other aspects which limitstheir export value (Banglar Rasogolla and Dharwad pedha have a shelf life of not more than 72 hours and 20 days respectively).
Preliminary study ofsustainability aspects of these GIs included1) Decent work and economic growth 2) Education and awareness 3) Good health and Well being of the community 4) Sustainable communities. The Likert scale analysis of the same is shown in Table 2.

Table 2: Impact of GI registration on the selected GIs.

Impact of GI registration on SDGs	**Registered GI**			
	GI 434	**GI 533**	**GI 80**	**GI 193**
Decent work and economic growth	4	3	5	3
Education and awareness	3	2	4	2
Good health and Well being of the community	3	4	4	4
Sustainable communities.	3	3	3	2

Source: compiled by the author from the interviews

Likert scale: 1: Strongly Effective, 2: Effective, 3: Neither effective nor ineffective, 4: No effect, 5: Strongly having no effect

The analysis reveals that if GIs have to sustain, sustenance of the communities is imperative. While there is a natural resilience in these communities, their socio-economic development is severely affected due to distress migration of the producers from rural to urban cities, lack of incentives for practice of GI by theyounger community members, bio-resource and raw material depletion. Producers of GIopined that GI registration needs to provide significant benefitwith respect to the market potential, or wellbeing of the community.

DISCUSSION AND CONCLUSION

Enhancing Part B registration is vital for quality maintenance and sustenance of foodstuff GI in the communities. Further, strengthening local governance mechanism by introducing quality control measures and incentivising continuity of GI needs to be considered. This would help in addressingthe issues of dwindling community population, migration, lack of successors and loss of regio-cultural aspects. Establishing the linkages between the GI Act and the Biological Diversity Act 2002 is necessary for the conservation of GIs due to the absence of such mechansim under the GI Act. Protection is necessary but fostering of GIs is equally necessary for the conservation of GIs. The interview analysis reveals that the GI protection and community development are complimentary to each other.

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The role of GIs in public goods production and SDGs achievement: a methodological proposal

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***Abstract* – Food Quality Schemes (FQS), that include Geographical Indications (GIs), represent good examples of food production that lean towards sustainability through good practices handed down in Code of Specifications (CoS) and management rules lied down by GI Consortia. Thus, the objective of this paper is to analyse and assess the capacity of GI systems to produce Public Goods (PGs) that support the Sustainable Development Goals (SDGs). In this context, the assessment is organised in four steps: i) the analysis of PGs as the result of the management rules defined in the CoS; ii) definining indicators to measure the impact of the PGs produced by GIs in the achievment of the SDGs; iii) the definition of the criteria for assessing the identified indicators; iv) the evaluation of PGs generation and their impact on SDGs. In this framework, the paper discusses the PDO Parmigiano Reggiano (Italy) and PGI Doi Chaang Coffe (Thailand) case studies analysed in the H2020 Strength2food project framework. Results confirms the presence of PGs associated to GI products and their role as a qualifying attribute of GI food products and their production systems.**

***Keywords* – Sustainable Development Goals; Public Goods; Geographical Indications.**

Introduction

In recent years, the focus on the sustainability of food supply chains and their environmental, economic and social impact on territories has increased. In this context, Food Quality Schemes (FQS), that include Geographical Indications (GIs), represent good examples of food production that lean towards sustainability through good practices handed down in Code of Specifications (CoS) by GIs Producers Group. These practices produce positive environmental, social and economic externalities that can be considered as Public Goods (PGs) (Vandecandelaere et al., 2009; Belletti et al., 2017; Arfini et al., 2021; Arfini et al., 2019). Although PGs produced by GIs are not directly visible to consumers at the time of purchase and consumption, they can contribute positively to rural development in several ways in terms of immaterial goods (like reputation) instrumental to improve market efficiency, as well as preserve local knowledge, cultural heritage, social cohesion and local biodiversity (Arfini et al., 2021). The importance of PGs is also highlighted by the United Nations. Indeed, in 2015, through its new strategic development agenda, UN categorised seventeen Sustainable Development Goals (SDGs), many of which can be directly related to the "food environments" (FEs) (HLPE, 2017) of the GIs production system. FEs are the physical, economic, political and socio-cultural contexts in which consumers engage with the food system to make decisions on acquiring, preparing and consuming food (HLPE, 2017). Thus, we can argue that a FE, while producing PGs also supports SDGs, allowing the preservation of production systems and producing environmental, social and economic benefits. The production of PGs is codified by rules concerning the local FE that are defined in the CoS and adopted by the producers. Based on such premise, some of the SDGs represent a tangible image of the GIs production system sustainability as a consequence of the externalities that the defined rules spill over the territories. Thus, the objective of this paper is to analyse and assess the capacity of the GI systems to produce PGs that directly impact some SDGs.

Methods

The paper discusses the PGs produced by two GIs production systems within the H2020 Strength2food project framework (Bellassen et al., 2022; Arfini et al.; 2019). In this context, the assessment consists of four steps: i) the analysis of PGs as the result of the management rules defined in the CoS lied down by GI Consortia. The analysis aims to map the PGs that the different GIs production systems are able to produce within the value chain and in the territories. For this purpose, three classes of PGs have been considered: Cultural Heritage Preservation, Socio Economic and Use of Natural Resources; ii) the definition of indicators to measure the impact of the PGs produced by GIs in the achievement of the SDGs using the FAO-SAFA (2013) sustainability indicators. To this aim, forty-two qualitatives indicators were identified for the assessment of seven SDGs; iii) the definition of evaluation criteria that support the awarding of a score for the identified indicators. For each indicator, a 5 point Likert scale has been adopted to assess the good practices implemented by GI production systems (lowest contribution to the generation of PGs

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-score 1; highest contribution -score 5). Furthermore, quantitative indicators set on a 1-5 scale were normalized in order to make the indexes of different categories comparable; iv) the evaluation of PG production and their impact on SDGs by grouping the 42 indicators per relevant SDG. For each SDG, a synthetic index was calculated as the geometric average of the involved indicators. The whole process allowed to highlight and compare good practices set in the GIs CoSs that, as a consequence, produce PGs that impact the SDGs. In this paper two case studies are reported: PDO Parmigiano Reggiano-PR (Italy) and PGI Doi Chaang Coffe-DCC (Thailand).

Results

Figure 1 shows the capacity of the PR and DCC value chains to contribute to the production of SDGs.

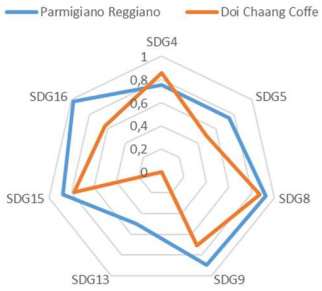


Figure 1. GIs contribution to SDGs

Overall, PR general index (0,79) is higher than DCC (0,71). Thus, PR shows a greater capacity to contribute to the SDGs achievement. However, if we consider SDG4 "ensuring the access to adequate health and educational services" we observe an opposite trend. More specifically, as an example, SDG4 is supported by two indicators: "Educational Farm Activities" and "Education-Professional training on the GIs". In this case, DCC is higher (0.86) than PR synthetic index (0.75). The innovative element in DCC value chain is the institution of a Coffee Academy where coffee farmers are trained to produce high quality coffee (from sowing to brewing). The DCC Academy, through the collaboration of university's lectures, teaches agronomy and farm management classes. Moreover, it plays a crucial role to research and develop the coffee processing technology. In the case of PR, the Consorzio provides technical assistance, supports trade fairs and events, and helps dairies to comply with health, safety, labelling and traceability regulations. In addition, technical assistance, research and consultancy services are also offered by public and private bodies. However, there is no specific educational system, as in the case of DCC, that directly impacts the educational level of the whole community.

Discussion

PR and DCC are analysed in order to highlight their capacities to respond to the societal needs expressed by the SDGs. To this end, synthetic indexes are generated for each SDG. This makes it possible to analyse which aspects of a GI production system contribute to produce PGs and SDGs and which aspects can be improved over time. The cases show that PR value chain contribution is higher in terms of SDGs achievement. Specifically, the main difference concerns SDG16 "building stable and strong institutions (0.98 for PR and 0.63 for DCC), SDG13 "take urgent action to combat climate change and its impacts" (0.5 for PR and N/A for DCC). The first depends on governance actions (guidelines for sustainability and quality), bargain power distribution (i.e. socio economic sustainability of supply chain structure), short supply chain organisation and management, whose indexes show the main gap between the two GIs production systems. The latter depends on carbon footprint control and environmental management practices. However, if on the one hand, DCC needs to introduce practices to strengthen the governance system, on the other hand, both PR and DCC require to strengthen practices towards SDG5 "gender equality" and SDG13 "Climate action".

Conclusion

Findings confirm that the presence of PGs associated with GI products is a positive qualifying attribute of GI food products and their production systems. Furthermore, PGs impact on SDGs, responding to society's need. Therefore, a logical process aimed at assessing PGs helps local policy makers, operators, and managers of GI value chain to define which PGs should be monitored over time.

Acknowledgement

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Impact des Appellations et Indications Géographiques Protégées sur le développement durable des territoires

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***Abstract* – L'objet de cette contribution vise à évaluer l'impact global en France métropolitaine des indications géographiques (IG) agro-alimentaires sur le développement durable des territoires. Plus précisément sont analysés ici l'impact des IG sur le bénéfice et l'emploi agricole ainsi que sur la pression agricole sur l'environnement (biodiversité et qualité de l'eau) dans une approche territoriale (échelle cantonale) et méso-économique. Des premiers résultats montrent un effet global positif de la présence d'IG sur la performance économique et environnementale des territoires analysés.**
***Keywords* – sustainable development, geographical indications, territory**

Introduction

La politique agricole européenne de reconnaissance et de protection des indications géographiques (IG) a pour objectif le développement économique et social des milieux ruraux (cf. REGULATION No 1151/2012 de l'union européenne). Dans un contexte d'attente croissante des citoyens en termes de préservation de l'environnement, les productions sous IG, par leur ancrage sur le territoire et la protection des terroirs, peuvent également être un instrument de développement durable (Belleti et al., 2017). Cependant, l'évaluation de l'impact de ces productions labellisées sur les territoires reste encore peu explorée, en grande partie du fait de la faible disponibilité de données (Cei et al., 2018; Raimondi et al., 2018).

Dans la littérature qui évalue les effets des IG sur certains auteurs se concentrent sur une ou quelques filières et étudient l'impact aux différents stades de la chaîne de production sur la création de valeur (Monier-Dilhan et al., 2019), l'emploi et sur l'environnement (Bellassen et al. 2021 ; Arfini et Bellassen, 2019). Sengel et al. (2022) ont aussi étudié l'impact des IG sur les performances économiques, environnementales et en termes de bien-être animal des exploitations dans la filière laitière en 2019. Concernant les performances économiques les produits sous IG bénéficient généralement d'une prime de prix, même si celui-ci ne compense pas toujours des coûts de production (Jeanneaux et al. 2019). Sur les aspects environnementaux, les résultats sont hétérogènes et mitigés.

Comme les travaux cités, notre étude porte sur les effets des IG en France métropolitaine pour les trois dimensions du développement durable : économique, sociale et environnementale, mais elle adopte une approche plus territoriale et méso-économique en visant une mesure de l'impact plus générique, non spécifique à un produit ou une filière.

L'impact économique et social sur le territoire est évalué à un niveau plus fin que précédemment réalisé, à l'échelle cantonale pour la période 2012-2020. Nous explorons aussi l'effet des IG sur le troisième axe du développement durable, la préservation de l'environnement qui a encore été peu étudié.

Donnees et methode

Les principales données traitées dans l'étude sont issues de l'Institut National des signes d'identification de la qualité et de l'origine (INAO) pour les signes de qualité, de la Caisse Centrale de la Mutualité Sociale Agricole (CCMSA) pour les bénéfices et l'emploi agricole et l'Agence des Services et Paiement (ASP) pour les aides du second pilier de la PAC et les données d'assolement, dans le cadre de leurs collaborations avec l'Observatoire de Développement Rural (ODR) d'INRAE[2]. Des données complémentaires issues de l'Institut national de la statistique et des études économiques (INSEE) et de l'Agence Bio sont aussi mobilisées.

L'article se concentre sur les appellations d'origine et les indications géographiques protégées sur les produits agro-alimentaires (hors vins et boissons spiritueuses) et sur les territoires où il existe des exploitations agricoles non spécialisées en viticulture sur toute la période 2012-2020 (3550 cantons).

Nous calculons, par canton et dans le temps, la part des exploitations agricoles impliquées dans les IG et la diversité des filières sous IG représentées (Indice de Shannon) à partir des données sur les opérateurs habilités à produire sous IG (Regolo et Pomeon, 2021).

Nous approchons la performance économique et sociale respectivement par les bénéfices agricoles par unité de travail agricole non salarié (BA/UTANS) et l'emploi agricole issus des données sur les cotisants salariés et non-salariés. Pour construire l'indicateur de performance environnementale (Ienv), nous nous inspirons de l'indice de pression anthropique de l'agriculture de Cherrier et al. (2021), et combinons des données de l'INSEE (Agence de l'eau) sur la part des pesticides et des nitrates dans les eaux de surface et des données ASP/IGN/US-ODR sur la diversité du couvert végétal et la part des prairies permanentes dans la SAU.

L'équation suivante est utilisée pour évaluer l'impact des IG successivement sur les trois indicateurs de performance :

$$(1)\quad y_{it} = \alpha_i + \gamma_t + \rho T_i t2012 + \delta T_{it} t + \sum \beta X_{it} + e_{it}$$

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Avec y_{it} l'indicateur de performance dans le canton i sur l'année t. T_{it} est les indicateurs de présence des IG. La variable t est binaire (0/1) égale à 1 si l'année n'est pas 2012, 0 sinon. Le paramètre d'intérêt δ mesure la variation dans le temps de la performance entre un groupe de cantons traité (ayant eu une augmentation des IG) et un groupe de contrôle aux caractéristiques similaires mais sans augmentation d'IG. α_i et γ_t sont des effets fixes par canton et par année. Le vecteur X_{it} comprend les autres variables jouant sur les performances. Nous incluons les aides budgétaires du second pilier de la PAC (aides modernisation et signes de qualité, ICHN, MAE), la part des opérateurs engagés en Agriculture Biologique (Agence Bio), la surface agricole utile, la taille moyenne des exploitations et l'âge moyen des agriculteurs dans le canton (MSA).

Resultats

Table 1 : Impact de la présence d'IG sur le développement durable sur la période 2012-2020

Performance	Economique (ln(BA/UTANS)) (1)	Sociale (ln(emploi agricole)) (2)	Environnementale (Ienv) (3)
Part exploitations IG	-0.7214 ***	-0.0912 ***	0.0172 ***
	(0.0739)	(0.0169)	(0.0048)
t* Part exploitations IG	**1.2560 *** **	**0.0152**	**0.0207 *** **
	(0.0585)	(0.0107)	(0.0034)
Indice diversite filière IG	-0.0727 **	0.0024	-0.0056 ***
	(0.0256)	(0.0043)	(0.0012)
t* Indice diversite filières IG	**0.1415 *** **	**-0.0058**	**0.0118 *** **
	(0.0246)	**(0.0035)**	**(0.0011)**
Adj. R2	0.78	0.98	0.97
Num. obs.	25 252	26 767	20 927
Effets fixes	Cantons, années	Cantons, années	Cantons, années

***p < 0,01, ***p <0,001. Toutes les regressions présentés contiennent les variables de controles X_{it} détaillées dans le texte*

Nos résultats principaux, présentés en gras dans la table 1, mettent en évidence un effet global positif de l'intensification de la présence des IG sur la performance économique des exploitations agricoles sur le territoire (colonne (1)) et sur la performance environnementale (colonne (3)). En colonne (1), une augmentation de 10 points de la part des exploitations agricoles en IG dans un canton entraine une hausse de 12% du bénéfice par UTANS, et une hausse de la diversité des filières en IG d'un écart type (0.5) entraine une hausse de 7%. Il n'y pas, dans ces premiers résultats, d'effets significatifs sur l'emploi agricole.

Les autres coefficients présentés confirment la tendance des IG à se situer historiquement sur des territoires relativement peu performants économiquement (colonne (1)), peu propices à l'agriculture intensive (Cei et al. 2018)). Cependant ces territoires sont aussi plus propices à la biodiversité (colonne 3).

Discussion

Les résultats de cet article suggèrent des effets globaux positifs de l'intensification de la présence des IG sur le territoire en termes de performance économique et environnementale. D'une part, ces résultats sont cohérents avec d'autres travaux sur le sujet (Bellassen et al. 2022, Raimondi et al. 2020). D'autre part ils montrent que la diversité et l'intensité des IG ont un rôle sur le développement durable des territoires et confirme l'intérêt des politiques de protection de ces signes. Il serait intéressant d'aller plus loin dans l'examen de la causalité, notamment en distinguant effets de court terme et de moyen terme et en examinant les variations selon les filières et les signes.

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K.2 La diversité des contributions des IG à la durabilité

La réinvention du terroir par la mise en discours de la durabilité dans les filières élevage sous Indication Géographique

C. Guibert, J. Frayssignes, M. Pouzenc[1]

Résumé - Les filières de qualité et d'origine sont remises en cause sur leurs fondamentaux, particulièrement en élevage. Dans ce contexte, leur communication articule un argumentaire sur le terroir et sur la durabilité. Cette étude porte sur leur investissement d'un argumentaire du terroir durable, par une analyse thématique de leurs sites internet. Les résultats mettent en évidence un discours type commun d'une part, une hiérarchisation des enjeux différente selon les productions et les contextes territoriaux d'autre part. L'articulation du terroir et de la durabilité semble traduire une relation réciproque, l'ancrage étant mobilisé comme preuve de durabilité et la durabilité comme dimension supplémentaire de l'ancrage des produits.
Mots clés – élevage, durabilité, terroir

Introduction

Les préoccupations associées à la durabilité (biodiversité, bien-être animal, équité…) représentent un défi majeur pour les filières agroalimentaires. Toutefois, la durabilité ne va pas de soi pour des filières sous Indication Géographique (IG) avant tout fondées sur un principe de lien au terroir et de qualité. Dans leur communication, comment font-elles le lien entre ces différentes notions ? L'intérêt est porté à un ensemble de filières d'élevage, dans un contexte où elles sont confrontées à de multiples controverses qui les conduisent à réaffirmer leur légitimité (Delanoue, 2018).

Cette étude se consacre ainsi aux discours des Organismes de Défense et de Gestion (ODG) des filières d'élevage sous Signe d'Identification de la Qualité et de l'Origine en région Occitanie en France, à partir de leurs sites internet. Cette communication représente les intérêts du collectif dans son ensemble et non ceux d'entreprises en particulier, accessible au grand public. Nous contribuons ainsi à l'étude de la reconstruction d'un discours ancien sur les liens entre terroir et qualité des produits ; nous nous inscrivons dans le prolongement de travaux sur la dimension culturelle du terroir dans la communication de filières de qualité (Amaya-Corchuelo *et al.*, 2019) et de la littérature sur le renouveau du terroir.

Nous interrogeons la manière dont les filières de qualité en élevage mobilisent la durabilité pour renouveler leur discours sur le terroir. Peut-on dire qu'elles investissent le champ d'un terroir durable ? Nous faisons l'hypothèse que ces discours révèlent une diversité de conceptions de la durabilité, soit des durabilités territorialisées. Nous supposons ensuite qu'ils se composent d'un ensemble d'arguments transversaux, d'un discours-type sur l'articulation du terroir et de la durabilité.

Methode

Nous avons retenu l'intégralité des filières laitières et viandes territorialisées et sous SIQO (IGP, AOC-AOP et certains labels rouges), soit 17 filières viande et 7 filières laitières. Nous avons construit le corpus par un relevé textuel du contenu de leur site internet, puis identifié des thématiques communes à l'ensemble du corpus. Nous l'avons ensuite découpé selon ces catégories afin de mener une analyse thématique. L'étude a été conduite entre mars et décembre 2020, puis reprise intégralement entre janvier et mars 2022. Dans une perspective d'ouverture, nous avons également confronté ce corpus à quatre cas situés hors de l'Union Européenne.

Resultats

Nous observons un discours descriptif commun aux différentes filières portant sur des éléments de trajectoire du collectif et les conditions de production. Une large part d'entre elles présentent leur label officiel comme une garantie de confiance, de qualité, de bonnes pratiques et de transparence.

L'essentiel des filières investissent la durabilité sociale par la santé humaine, le bien-être animal et le lien social. Elles soulignent le rôle des produits animaux dans une alimentation équilibrée, par des allégations de santé liées à la diététique et à la nutrition (taureau de Camargue, veau sous la mère, Roquefort) ; d'autres prennent le contrepied en revalorisant le « bon gras », possédant des qualités gustatives et nutritionnelles dont les produits standards sont privés (porc noir de Bigorre, jambon de Bayonne). La santé est envisagée par la réassurance sur la sécurité sanitaire justifiant l'utilisation de lait cru ou convoquant la traçabilité pour les filières viande. Le bien-être animal n'est pas toujours évoqué explicitement (8 filières sur 24) mais est largement sous-entendu par les pratiques. Quant au lien social, pour 14 filières il est relatif au lien entre producteurs et consommateurs, mis

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en avant dans la volonté de justifier la ressemblance à un circuit court.

La durabilité économique et sociale est investie par la moitié des filières par leur participation à un tissu socio-économique, la génération d'emplois locaux, le maintien d'activités dans des espaces ruraux fragiles et d'exploitations agricoles à taille humaine.

A propos de la durabilité environnementale, les filières fondées sur des pratiques agropastorales se distinguent par un discours sur le rôle de l'élevage et des pratiques extensives dans le bon fonctionnement des écosystèmes, l'entretien des milieux, des paysages et de la biodiversité et sur l'équilibre entre activité humaine et nature (Pélardon, fleur d'Aubrac…).

Des éléments de discours singuliers émergent également. Ainsi, le mouton Barèges Gavarnie s'inscrit dans le mouvement Slow food et le porc noir de Bigorre affirme son opposition au modèle de production intensif. Le veau sous la mère et l'agneau des Pays d'Oc abordent la durabilité sociale par le bien-être de l'éleveur, la diminution de l'astreinte et l'amélioration des conditions de travail voire par le renouvellement des exploitations. Rares sont celles qui évoquent directement la durabilité ou l'agroécologie. Cependant le veau d'Aveyron et du Ségala investit les énergies renouvelables et l'agriculture raisonnée, le jambon de Bayonne la démarche globale de Responsabilité Sociétale des Entreprises. Le Laguiole déploie un discours sur le développement territorial durable qu'il porte en Aubrac.

Les éléments de discours relatifs au terroir dans ses dimensions naturelles et humaines sont mobilisés pour démontrer la typicité des produits, mais aussi leur durabilité. Beaucoup convoquent ces deux dimensions de manière conjointe pour démontrer la cohérence de leur production dans son territoire et son milieu naturel. Certaines s'appuient principalement sur les facteurs naturels (pédoclimatiques, géologiques, floristiques, microbiens, de race…) et affirment une naturalité des pratiques, incorporée au produit lui-même (Roquefort, Pélardon, agneau fermier du Quercy…). D'autres valorisent les facteurs humains et les savoir-faire, l'Histoire et les légendes, insistant sur l'authenticité (veau sous la mère, tomme des Pyrénées, canard à foie gras du Sud-Ouest…).

L'analyse des discours portés par les filières situées hors de l'UE souligne enfin de nombreux éléments communs avec ceux des filières de la région Occitanie. Ces similarités sont plus fortes pour celles orientées vers le haut de gamme et l'export, comme pour le bœuf de Kobe au Japon ou la filière Vaquería del Este en Uruguay, avec un discours particulièrement fort sur la traçabilité et la confiance. En revanche, le champ de la durabilité laisse apparaître des divergences. L'appellation d'origine colombienne queso del Caquetá porte un discours marqué sur l'agroécologie, le rôle de l'élevage vis-à-vis de la biodiversité et la lutte contre la déforestation. Elle partage également avec l'appellation costaricaine queso Turrialba une forte attention à la durabilité économique et au développement humain.

Interpretation des resultats – discussion

Les discours portés par les ODG possèdent un grand nombre de similarités d'abord parce qu'ils s'adressent pour l'essentiel au grand-public. Ils sont donc largement descriptifs voire pédagogiques. Ensuite, parce qu'ils sont structurés par des enjeux sectoriels qui dépassent leur seule production, mais aussi par des enjeux de société plus larges. Si ces éléments sont communs, les manières d'y répondre sont variables et convoquent des arguments qui sont ou ne sont pas territoriaux et spécifiques. Les productions dont le lien au terroir paraît moins évident dans ses dimensions naturelles semblent investir un argumentaire focalisé sur la durabilité économique et sociale et valorisent davantage les savoir-faire. Les filières revendiquant un lien au terroir dans sa dimension naturelle investissent une durabilité environnementale ou globale. Elles revendiquent une incorporation des qualités du milieu naturel dans le produit (lait cru, flore et microflore…).

Peut-on pour autant parler de l'investissement d'un terroir durable ? Le lien entre les deux notions se tisse ici par la convocation de deux registres, l'authenticité historique et l'authenticité naturelle des produits. Il semble que les filières les mobilisent selon des combinaisons variables, entre deux pôles caractérisant d'une part une nature et un milieu naturel sauvage et d'autre part un milieu façonné par l'élevage. Les similarités apparentes de discours traduisent des formes d'un discours-type sur l'ancrage et la durabilité qui tend à invisibiliser les différences réelles de pratiques et de contextes territoriaux. Nous observons tout de même une hiérarchisation des enjeux différente selon les territoires ou les types de production. Nous relevons une double relation entre terroir et durabilité : le terroir est mobilisé comme preuve de durabilité, en retour la durabilité vient enrichir l'ancrage de ces produits.

Par cette étude nous tentons de répondre à un manque de travaux consacrés au lien entre terroir et durabilité dans la communication des filières sous IG, alors même que cette articulation semble constituer une stratégie commune. Dans le même temps, nous contribuons aux réflexions sur le lien au terroir des produits carnés, plus complexe à démontrer que pour les produits laitiers ou végétaux (Sans, 2011), par une approche originale en termes d'objet.

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Principales discursos alrededor de las IGs en España: implicaciones para el diseño de políticas públicas.

Guadarrama-Fuentes O.V., Gil J.M.[1]

Resumen **– Las indicaciones geográficas (IG) son un método de producción multifuncional en el sector agroalimentario que trata de ofrecer productos diferenciados ligados a una identidad territorial y al mantenimiento de unos recursos naturales y a una tradición cultural y gastronómica que difícilmente podrían competir con la agricultura convencional. Son numerosos los estudios en la literatura que han abordado el posible impacto de las IGs desde múltiples puntos de vista. El objetivo de este trabajo se centra, precisamente, en analizar los principales discursos que se articulan alrededor de las IGs, tratando de extraer las principales ideas que subyacen desde una perspectiva global que orienten a los agentes de la cadena en el diseño de estrategias comerciales y a los responsables públicos en el diseño de las políticas públicas. Para alcanzar el mencionado objetivo, el enfoque adoptado se basa en la metodología Q. Los resultados indican que alrededor de estos sistemas se articulan tras grandes discursos: uno en línea con el discurso orientado a los aspectos regulatorios, otro que destaca los valores intangibles del alimento y un tercero con una visión sostenible.**

Palabras clave: Discurso IG en España; Metodología Q, Políticas públicas.

Introducción

Las indicaciones geográficas (IG) son un método de producción multifuncional en el sector agroalimentario que surge como alternativa a una agricultura intensiva basada en reducir costes de producción unitarios aprovechando economías de escala. Trata de ofrecer productos diferenciados ligados a una identidad territorial y al mantenimiento de unos recursos naturales y a una tradición cultural y gastronómica que difícilmente podrían competir con la agricultura convencional. Por tanto, las IGs se articulan en torno a tres elementos: el origen, el entorno geográfico de producción y el saber hacer. Existen numerosos esquemas o distintivos asociados a las IGs, pero las que han tenido un desarrollo reglamentario más profundo y más reconocimiento son dos: las Denominaciones de Origen Protegidas (DOPs) y las Indicaciones Geográficas Protegidas (IGPs). La literatura no ha sido ajena a este proceso y en los últimos años, se ha desarrollado una extensa literatura centrada en el análisis del impacto de las IG desde múltiples puntos de vista y utilizando una gran diversidad de enfoques metodológicos

La mayor parte de los trabajos se han centrado en resaltar los beneficios económicos, como la generación de valor añadido, el diferencial positivo de precios y su demanda potencial o el incremento de la rentabilidad de los socios de la IGs (Réquillart, 2007). Un grupo menos numeroso de trabajos se han centrado en analizar sus beneficios ambientales, tales como la protección de especies locales, el fomento de la biodiversidad, la protección de paisajes, el mantenimiento de prácticas agrícolas tradicionales o el uso razonable de los recursos naturales (Belletti et al., 2015; Marescotti et al., 2020). En el ámbito social, la literatura ha puesto el foco en su capacidad para la generación de empleo local y la disminución del éxodo rural, así como su contribución a la identidad cultural y territorial (Bérard & Marchenay, 2006; Bowen & Zapata, 2009). Como se puede observar, una misma realidad ha sido analizada desde enfoques muy diferentes aportando una gran variedad de discursos que pretenden justificar la existencia de estas IGs. No existen, sin embargo, trabajos que aborden los diferentes discursos existentes alrededor de las IGs de una forma holística, esto es, cómo las IGs son percibidas globalmente por las personas que, de una forma u otra, trabajan alrededor de las mismas.

El objetivo de este trabajo se centra, precisamente, en analizar los principales discursos que se articulan alrededor de las IGs. Para alcanzar el mencionado objetivo, el enfoque adoptado se basa en la metodología Q cuyo objetivo es analizar las subjetividades inherentes en las percepciones de los seres humanos de forma estructurada y capaz de ser interpretadas de forma estadística. Aunque cada individuo puede obtener un discurso diferente, de los que se trata es de identificar factores comunes que permiten sintetizar esos discursos individuales en un número reducido de discursos capaces de recoger esos patrones comunes.

Metodología

La metodología Q, fue creada en 1935 por el psicólogo y físico ingles William Stephenson con el fin de estudiar la subjetividad de los individuos frente a cualquier situación. La metodología Q combina elementos de la investigación cualitativa y cuantitativa.

La técnica Q se integra por 5 fases (Fig. 1), se comienza con el Q-sample o recopilación de información, en la que se empleó el análisis de 26 documentos que permitieron identificar 4 argumentos IG: económico; económico-social; económico-ambiental y sostenible, de los cuales se extrajeron 44 enunciados que integran el Q-Set. El P-Sample se integró por 35 participantes, 5 representantes de las Comunidades Autónomas, 12 investigadores y 18 Consejos Reguladores (11 DOP y 7 IGP). El Q-sorting elegido es una cuadricula con un valor central de 0 y valores extremos de -5 y +5, en la cual cada participante distribuyeron los 44 enunciados para posteriormente analizar los datos con el software libre PQMethod versión 2.35 empleado el método de extracción de factores delentroide de Horst, con una rotación varimax.

Resultados

Los resultados del análisis factorial permitieron construir 3 perfiles.

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Factor 1. Visión institucional y de gobernanza.
Se trata de un argumento o discurso institucional muy en la línea de lo que defendió la Unión Europea cuando reguló por primera vez estas certificaciones. Las Indicaciones Geográficas son considerados como sistemas de producción orientados al desarrollo local y la sostenibilidad, cuyos objetivos son preservar, proteger y promover un alimento; respetar un territorio y fomentar un saber hacer tradicional. La fortaleza de la IG radica en el marco jurídico europeo, nacional y regional, que a través del reglamento y el pliego de condiciones de cada DOP/IGP permite definir la política de actuación y las atribuciones de los consejos reguladores. Para ello se apoyan en el marco jurídico europeo, nacional y regional, expresado a través del Pliego de Condiciones y el reglamento de cada IG y del papel del CR como ente de gestión, coordinación y promoción. También se destaca la importancia del sello DOP e IGP como elemento publicitario y de confianza.

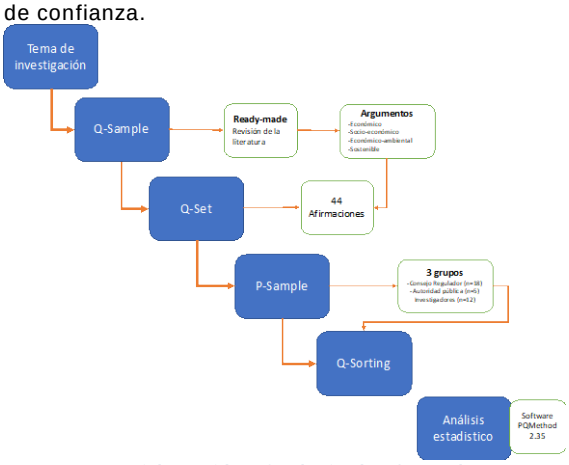


Figura. 1 Proceso de la metodología Q aplicado a las IG españolas.

Este factor explica el 14% de la varianza 11 opiniones, principalmente de personas relacionadas con los CR y 2 investigadores. Las IG de este grupo en su mayoría cuentan con un gran número de pequeños productores, con una producción limitada y orientada al mercado local.

Factor 2. Identidad cultual y valores simbólicos intangibles
El segundo argumento destaca los elementos simbólicos intangibles asociados al producto, el patrimonio cultural y gastronómico. Este factor explica el 12% de la varianza agrupando a 11 opiniones, de investigadores y administraciones territoriales.
El argumento parte de la importancia de la tradición y del patrimonio gastronómico local como generadores de identidad y pertenencia al territorio. Otro aspecto que se destaca es la agregación de valor y la promoción de los productos en el mercado basados en valores intangibles.
Una línea de este argumento destaca una relación directa entre beneficio económico y valores intangibles, estipulando que por medio de los segundos se puede mejorar el ingreso de los socios, incentivar la competitividad y la innovación en la producción si afectar las características intrínsecas del producto. Sin embargo, este discurso minimiza la existencia de efectos negativos ambientales asociados a una mala praxis agrícola o ganadera y a la sobreexplotación de los recursos naturales.

Factor 3. La IG como promotora de la sostenibilidad.
Finalmente, el tercer factor, que explica el 11% de la varianza, está asociado a 8 opiniones de Administraciones Públicas y CR de IG pequeñas, con una presencia marcada en el mercado local.
A diferencia de los argumentos anteriores, este argumento tiene una preocupación por la sostenibilidad en los sistemas de producción IG. Busca por una parte alcanzar el éxito económico de los inscritos, mientras que, por la otra, destaca la importancia de preservar los recursos naturales y evitar la sobreexplotación del territorio; además de destacar el papel que tienen los alimentos certificados en el colectivo idiosincrático local, contribuyendo a la identidad cultural.
Para este grupo es importante velar por el crecimiento de la IG sin que ello conlleve una masificación en la producción y convierta al alimento, en un producto elaborado bajo reglas de producción en serie perdiendo su esencia e importancia en el territorio.

Consideraciones finales

Un elemento común que ha aparecido en los tres discursos que acabamos de describir es que para alcanzar los objetivos de las IGs es imprescindible un sistema de gobernanza sólido y transparente que ayude a los socios al cumplimiento de los estándares fijados. Los Consejos reguladores son instituciones de derecho público que efectúan una labor fundamental no sólo garantizando el cumplimiento del pliego de condiciones técnicas sino como un eje vertebrador que garantice la sostenibilidad futura de las IGs. Por un lado, debe de coordinar las labores de promoción de los productos y de los elementos asociados a ellos, como han ido haciendo hasta la fecha. Pero debe de ir un poco más allá tratando de coordinar las actividades de los socios independientemente del tamaño de los mismos, prestando más atención hacia los más vulnerables. Debe fomentar la cohesión a lo largo de la cadena tratando de ajustar oferta y demanda. Finalmente, debe de orientar a los socios hacia un sistema más sostenible fomentando activamente la utilización de técnicas de producción más eficientes tanto desde el punto de vista del uso de los recursos (agua y energía), como desde el punto de vista del impacto ambiental, fomentando la reducción de emisiones y la circularidad, aspectos en los que ha jugado, hasta el momento un papel secundario. Para ello es necesario una mayor coordinación entre las diferentes IGs para el diseño de estrategias conjuntas independientemente del producto que se trate. Aspectos relacionados con la innovación debe de ser abordados de forma conjunta.

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GI SUSTAINABILITY, EUROPEAN FRAMEWORK

Ignacio Rabasa.

Abstract **– El presente trabajo tiene por objetivo abordar la connexión existente entre los llamados criterios de sostenibilidad y las indicaciones geográficas protegidas vinculadas con el sector agroalimentario. En segundo lugar, se aborda cual es la forma más eficaz de impulsar los objetivos de sostenibilidad dentro del marco legal regulatorio de las Indicaciones Geográficas en el seno de la Unión Europea.**
Keywords **– Sostenibilidad, Indicación geográfica protegida. Políticas agroeconómicas**

INTRODUCCIÓN

En sus orígenes, el concepto de Desarrollo sostenible fue definido por primera vez como: "*satisfacer las necesidades de las generaciones presentes sin comprometer las posibilidades de las generaciones del futuro para atender sus propias necesidades*" (WCED,1987). Posteriormente esta definición convergería en el concepto de sostenibilidad, basado en tres aristas interrelacionadas entre sí, la económica, la social y la ambiental (Prieto Sandoval, et.al. 2017).

En el seno de la Unión Europea, donde el sector agrícola y ganadero están programados, estos criterios de sostenibilidad han estado integrados en los Principios Rectores de la Política Agraria Común (PAC) desde un primer momento, sintetizados en los siguientes apartados: i) *Apoyar a los agricultores y mejorar la productividad agrícola, asegurando un suministro estable de alimentos asequibles; ii) Salvaguardar a los agricultores de la Unión Europea para ganarse la vida razonablemente; iii) Ayudar a abordar el cambio climático y la gestión sostenible de los recursos naturales; iv) Mantener las zonas y paisajes rurales en toda la UE; v) mantener viva la economía rural mediante la promoción de puestos de trabajo en la agricultura, las industrias agroalimentarias y los sectores asociados.*

Estos objetivos de la PAC, están reforzados actualmente por la Agenda 2030 y la *Estrategia de la Granja a la mesa.*

Dentro de este contexo, las indicaciones geográficas protegidas, pueden favorecer la consecución de algunos de estos objetivos.

i) En primer lugar, las indicaciones geográficas protegidas, como signos distintivos que indican un origen geográfico y unos estándares de calidad (Montero, 2016) cumplen un rol diferenciador, esto es extredamente beneficioso en un mercado como el agrícola, caracterizado por estar muy *cercano al modelo de competencia perfecta*. En general, en el mercado agrícola, *el producto es fácilmente sustituible, o así lo percibe el consumidor final*. Esto, a menudo es perjudicial para los productores y agricultores a quienes les resulta difícil competir por parámetros de calidad.

Las indicaciones geográficas protegidas permiten romper esa barrera favorenciendo *una competencia basada en la calidad,* que a su vez, redunda en beneficio de las economías de aquellas regiones productoras de esa denominación de origen.

ii) En Segundo lugar, las indicaciones geográficas están vinculadas a los pliegos de condiciones. (Marie Vivien, 2018) Como se desprende del apartado anterior, en la medida que la Indicaciones Geográficas Protegidas tengan éxito, *las economías (empresariales e individuales*) que sean directa o indirectamente dependientes de una IG *intentarán que se mantengan los requisitos necesarios para continuar dentro del pliego de condiciones*. (VANDECANDELAERE, E., em. Al 2021)

Por este motivo, una forma de mejorar la sostenibilidad medioambiental a través de las indicaciones geográficas protegidas es *incluir dentro de los pliegos de condiciones requisitos medioambientales*.

De este modo, economías locales, públicas y privadas, tienen incentivos reales para cumplir políticas medioambientales. En aquellas áreas geográficas que dependen de una indicación geográfica protegida, es más fácil implementar políticas exitosas encaminadas a conservar el hábitat necesario para cumplir con el pliego de condiciones.

En el sector de la agricultura, en la medida en que las Indicaciones Geográficas deban ser producidas en un área geográfica específica, la preservación del hábitat natural necesario para su desarrollo es un requisito esencial. Si la DO está asociada al cultivo de una determinada especie o variedad vegetal, se facilita su conservación, lo que ayuda a preservar la biodiversidad y los ecosistemas (ej.Carxofa de Benicarló, variedades de uvas tempranillo autorizadas en el Pliego de Rivera del Duero..)

Sin perjuicio de lo expuesto, no pueden obviarse dos factores:

i)*No todos los productos pueden protegerse con una Indicación Geográfica Protegida*, *lo contrario implicaría reducir el valor agregado atribuido a las indicaciones geográficas* y acabar por convertirlas en productos homogéneos.

ii) Trayendo a colación el argumento anterior, se debe señalar que, aunque las indicaciones geográficas protegidas encajan perfectamente en el marco de la PAC, son derechos destinados a proteger productos exclusivos cuyo consumo es un pequeño porcentaje en la dieta media del ciudadano europeo. (Menos del 2% en el ciudadano medio europeo). En este sentido,

las IG tienen un alto valor de exportación, sin embargo, no sirven para garantizar otros posibles problemas, como la llamada "soberanía alimentaria" y los precios asequibles de los alimentos. No todos los cultivos pueden destinarse a producir productos protegidos por indicaciones geográficas.
iii) La introducción de criterios sostenibles, y en particular, medioambientales, obligatorios en los pliegos de condiciones, podría implicar en algunos casos elevados costes de inversion, que en ocasiones pueden no ser asumibles de forma radical, y sobre todo perjudicar a aquellos operadores pequeños y medios que más necesitan las bondades del sistema de indicaciones geográficas protegidas,

METODOLOGÍA

Para realizar el presente trabajo se han estudiado diversas fuentes bibliográficas, partiendo de lo general hacia lo más particular. i)Primero se ha abordado el estudio del concepto de sostenibilidad y su evolución, optando por utilizar el concepto clásico, que coordinad las tres aristas, Desarrollo económico, social y medioambiental. ii) En segundo lugar se ha afrontado el estudio de los textos legales y doctrinales relativos a la protección de las indicaciones geográficas protegidas en el seno de la Unión Europea. En este punto cabe reseñar la recentísima Propuesta del REGLAMENTO DEL PARLAMENTO EUROPEO Y DEL CONSEJO sobre las indicaciones geográficas de la Unión Europea para el vino, las bebidas espirituosas y lasproductos agrícolas y regímenes de calidad de los productos agrícolas, por los que se modifican los Reglamentos (UE) n.º1308/2013, (UE) 2017/1001 y (UE) 2019/787 y por el que se deroga el Reglamento (UE) n.1151/2012 , (Publicado el 31/03/2022). La citada propuesta ha incluído sendos apartados dedicados de forma directa a la sostenibilidad.iii) En tercer y último lugar se ha recopilado información contenida en los distintos pliegos de condiciones de España, para ver las referencias, directas o indirectas a criterios medioambientales.

RESULTADO

En cuanto a los resultados obtenidos, fruto del contraste de la distinta literatura especializada en la materia, se pueden extraer principalmente tres conclusiones. I)La primera es que *la función principal de las denominaciones de origen*, (identificar el origen territorial del producto y cierto estándar de calidad asociado a este) *sirve por si misma para quebrar esa homogeneidad aparente del sector agrícola e introducir un modelo de competencia basado en la calidad*. Cuanto más diferente se perciba el producto en relación con otros de la misma clase, mayor valor agregado aportará esa denominación de origen.
ii) La segunda, relacionada con la primera, es que los *pliegos de condiciones con insuficientes estándares de calidad suponen un riesgo de devaluación del propio sistema* de las indicaciones geográficas protegidas, siendo perjudicial a efectos de potenciar el desarrollo económico y social de esas localidades.
iii) La tercera es que la inclusión *de criterios medioambientales en los pliegos de condiciones resulta deseable y positivo, pero su imposición*, especialmente cuando sean muy costosos, *puede desincentivar a pequeños y medianos productores*, favoreciendo la concentración y la gestion de la Indicación Geográfica Protegida en empresas puedan asumir ese coste de entrada.

APLICACIÓN DEL RESULTADO

A raíz de los expuesto, el análisis de los resultados obtenidos nos permite realizar las siguientes afirmaciones:
i)Que la concesión o el reconocimiento de nuevas indicaciones geográficas protegidas, así como el mantenimiento de las ya existentes ha de seguir sometiendose controles rigurosos. El valor económico de una indicación geográfica protegida es proporcional a su capacidad diferenciadora.
ii) Que la implementación de criterios medioambientales en los pliegos de condiciones ha de fomentarse de forma positiva, V.gr. a través de subenviones o reducción de tipos impositivos. Las medidas de corte imperativo a parte de ser gravosas para los operadores económicos más pequeños, pueden afectar a pliegos con una larga tradición. En lo tocante a este punto, se debe señalar que a falta de las alegaciones pertinentes, esta va a ser la línea seguir por la Unión Europea, y así se infiere de recentísima propuesta del Reglamento de ls Unión Europea.

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The Sustainable Turn and Norwegian GIs

Atle Wehn Hegnes[1]

***Abstract* – In July 2002, Norwegian regulations for Geographical Indications of foodstuff entered into force in accordance with EU regulations. At that time, there was a lack of both a common vocabulary and Norwegian food-cultural know-how in line with the food-cultural preconditions that formed the basis for the scheme in the EU. Since this introduction, these food cultural conditions led to significant adaptation work to adapt the GI schemes to Norwegian food culture, and Norwegian food culture to the schemes. Sustainability demands have increased over the last decades, requiring new adaptations related to GIs. This paper examines how to describe and understand this development from a social practice theory perspective.**
***Keywords* – Norway, Sustainability, Practice theory**

Introduction

Toward the end of the 1980s, Norwegian authorities and other key agri-food stakeholders started mobilizing what came to be described as *mental border protection* (Hegnes and Amilien, 2019). Simply put, the strategy aimed to trigger new ways of understanding food and to convince Norwegian consumers to choose Norwegian products. This Norwegian top-down turn to new qualities coincided with a growing turn to new qualities in Europe, characterized by a bottom-up initiative by consumers, retailers, and producers away from standardized products towards alternative qualities (Goodman, 2003). In line with the new strategy, the Norwegian regulations for GIs entered into force in accordance with EU regulations in July 2002.

In Norway, there was lack of both a common vocabulary and food-cultural know-how in line with the food-cultural preconditions that form the basis for the GIs for food in the EU. Since their introduction, these regulations have resulted in significant food cultural adaptation work to adapt the scheme to Norwegian food culture, and Norwegian food culture to the scheme. The actors' work with adaptations of meaning, social organization, and materiality, during implementation, administration, and use of the Norwegian scheme for GIs thus became important in the entrenchment of the scheme (Hegnes, 2019).

During the last decade, expectations have increased related to sustainability certification in the agri-food sector. However, the number of schemes and the complexity of standards presents a challenge with respect to which sustainability objectives are targeted. A consequence of this complexity is a demand for simplification and harmonization of standards. For example, in an ideal situation from the supplier's point of view, one would only need to comply with one set of criteria to meet all government and proprietor-based standards (Richards et al., 2013:238). Recently, the European Green Deal, and more specifically the Farm to Fork strategy, stresses this importance of sustainable practices in all sectors and levels of the food chain (EC, 2020). The labelling policy within the EU in general is also important in this concern.

Sustainability is an integrated part of several Norwegian (private and governmental) certification schemes for food. However, these certifications are rarely explicitly understood or communicated as tools to cope with sustainability challenges. In this short paper, the role of GIs in the turn toward sustainability is proposed to be understood through the analytical and conceptual framework of social practice theory (SPT).

Method and research questions

At this preliminary stage, the method is based on existing literature and forms a background for data collection to be conducted in Norway during the spring/summer 2022. Norwegian materials (with GI examples from apple production) will be used to explore and shed light on the debate on GIs *versus* sustainability standards. This debate is characterized by balancing advantages and drawbacks of two challenging strategies: 1) a convergence strategy, implying inclusion of sustainability goals in GI certification, and 2) a distinction strategy, focusing GI certification on place-based specificity on one hand and sustainability standards on the other hand. More specifically, the following research question will be probed: *How do different actors understand, practice, and adapt the nexus of place-based specificity and sustainability qualities in GIs, and what consequences does this dynamic bring?*

Sustainability and GIs

Despite a largely shared understanding of the crucial need for a sustainable turn, sustainability is still a multidimensional concept encompassing several matters and interests. During the last decade, a vast number of studies have offered detailed accounts of how GIs are related to various dimensions of sustainability, including environmental (e.g., Owen et al., 2020), economic (e.g., Vandecandelaere et al., 2020), social (e.g., Muller et al., 2021), and in combination (Bellassen et al., 2022). There are also examples of analysis of the Norwegian scheme from a sustainability perspective (Amilien, Vittersø, and Tangeland, 2019).

Even though there have been recent advances in describing and understanding GIs from a sustainabil-

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ity perspective, there are still important questions associated with how people generally understand and adapt their GI practices to sustainable measures.

Adapting Norwegian GIs to sustainability

Inspired by recent developments in SPT, analysis of cases of Norwegian apple GIs will be informed by Theodore Schatzki's conceptual framework and cases on Shaker herb practice (2002) and Kentucky bourbon (2019). The analysis will apply the concepts of *general understandings* (Schatzki, 2019) and *adaptive practices* (Hegnes, 2019) to explore how actors understand, practice, and adapt the nexus of qualities related to place-based specificity and sustainability in GIs. Schatzki more specifically describes GIs as "understandings or senses of general matters pertinent to goings-on in the practice" (2013:34). Hegnes indicate that translations of meaning, social reorganisations, and material transformations are of importance in the dynamics between general understandings of sustainability and sustainable food production and consumption practices.

Preliminary conclusion

During the last decade, sustainability has arisen to be an explicit and important quality in analysis of GIs. Applying the conceptual framework of SPT and adaptive practices is here proposed as a constructive approach to understand how producers and consumers adapt to GIs as a tool to contribute to a sustainable development and the consequences of this adaptive dynamic between understandings and practices.

The forthcoming study is expected to bring concrete examples from adaptations, solutions, and pathways adopted by different Norwegian apple GIs to handle the tension of general understandings of place-based specificity and sustainability.

New potential questions following this approach may be: Will it be easier to combine GIs with sustainable measures in food cultures with a weaker conception of *terroir* than in countries with a strong conception? What kinds of adaptive practices are active in the nexus of general understandings of place specificity and sustainability? What is the consequence of these adaptations for GIs, sustainability, and food security?

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L. IG : la reconnaissance d'un droit de propriété intellectuelle n'est pas la fin de l'histoire

From Região da Mantiqueira de Minas Gerais IP to Mantiqueira de Minas DO: a case study of a change in a type of Brazilian geographical indication

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Abstract **– In the world coffee market, those with social, quality and traceability criteria are increasingly valued. In this market in Brazil, geographical indications are being used to highlight the origin and particular characteristics of the product. The objective of the present study is to describe and analyse the case of the "Mantiqueira de Minas" coffee, considering that this is the first amended Brazilian geographical indication case, foreseen in the national legislation only from 2018. It was found that the alterations of the geographic name, the delimited area, the type of registration and the technical specifications aimed at adapting the sign to the reality of the collective. This is due there was a specialisation of coffee production in the region with the adoption of more rigid criteria throughout this decade after registration. The option to maintain only the central nucleus of the name demonstrates the consolidation of the geographical name "Mantiqueira de Minas" as a quality coffee with a specific origin.**

Keywords **– Intellectual property, special coffee, Brazilian Geographical Indications; Amendments in Geographical Indications**

INTRODUCTION

Brazil is the largest commodity Coffee exporter in the world. In this business segment the coffee that has identification of the origin obtains a superior quotation in the external market, since the price practiced internationally follows better evaluation of its quality. Located in the south of the state of Minas Gerais, Brazil, the Mantiqueira de Minas region has a centuries-old tradition in the production of quality coffee, being one of the most awarded regions in quality competitions in Brazil.



Figure 1. Figure 1. Location of the Mantiqueira de Minas DO (MM) (Mantiqueira de Minas website, 2022).

Choosing the distinctive sign related to origin that best represents the community, as well as the best way to guarantee its protection, was a great challenge. This is because Brazil traditionally only registered Individual Marks, but since 1996 has started registering Geographical Indications, Collective Marks and Certification Marks. All signs that are GIs are governed by Law No. 9279/1996. This law defines Geographical Indications (GIs) into two species: Indication of Provenance (IP) and Denomination of Origin (DO).

This article aims to analyse how the distinctive sign Geographical Indication related to origin available in Brazil was being used by the regional producers of the Mantiqueira de Minas. For this purpose, the legal parameters about geographical signs in Brazil are analysed, as well as the specific case of the Mantiqueira de Minas related to the signs concerning it, paying attention to the pioneer process of alteration of GI registration documents.

METHODOLOGY

To carry out the study in question it was used the exploratory methodology aligned with the case study method (Yin, 2005).

The Brazilian legislation and other regulations stipulated by the National Institute of Industrial Property, the institution responsible for the registration of geographical indications in Brazil, were highlighted as a source of consultation. Special importance was given to the official and public document published in Industrial Property Magazine No. 2.579 of 09 June 2020 where the information about the alteration process of the registration of the Geographical Indication "Mantiqueira de Minas" (INPI, 2020) process under study was presented.

RESULTS

First of all, it is important to describe that Brazilian legislation, unlike that of Europe, defines Geographical Indications (GI) in two types: Indication of Provenance (IP) and Denomination of Origin (DO). IP is the geographical name of a country, city, region, or location in a territory that has become known as a centre for the extraction, production, or manufacture of a certain good or the provision of a certain service. And DO is the geographical name of a country, city, region, or location in a territory that designates a

good or service whose qualities or characteristics are an exclusive or essential result of the geographical environment, including natural and human factors.

It was noted that Mantiqueira de Minas local producers started with an individual trademark application in 2006 for coffee. In 2007, they applied for a coffee certification mark and also for an IP. Following a grant of the IP in 2011, in 2015, they abandoned all trademark applications. In 2016, they applied for a DO. However, at that time, it was impossible to apply for a change of registration, from IP to DO, in Brazil. This happened because although GIs are governed by Law No. 9279/1996, the amendment to the registration was only allowed after Normative Instruction No. 95/2018 of the National Institute of Industrial Property. This Normative Instruction was revoked and currently the norm in force is the Ordinance No 04/2022 which maintains the possibility of amendments.

In the specific case of Mantiqueira de Minas, the INPI decided to take advantage of the application for DO registration made in 2016 and transform it into an application for amendment of registration in 2019. In 2020, the Mantiqueira de Minas was the first Brazilian GI case of amendment of registration. A publication in the official magazine n° 2.579 (INPI, 2020) showed that they received all the four amendments prescribed in the rule applicable at the time. So, they reduced the geographical name from "Região da Mantiqueira de Minas Gerais" to "Mantiqueira de Minas" (Figure 2), increased the delimited area by adding 3 surrounding towns, changed the technical specification and changed the GI species from an IP to a DO.



Figure 2. Graphic representation of the Indication of Provenance and Denomination of Origin (INPI, 2020).

There is a further difference between Brazilian and European legislation, where it can be seen that the graphic representation can be associated with the geographical name when registering the Brazilian GI and this element can also be changed.

Regarding the Technical specifications, it was specified from simply "coffee" to "coffee for green coffee beans, and industrialized roasted coffee in beans or ground", adding the production phase and determined that only coffee above 1040 meters of altitude, where before were to have 85% of the plantations deployed between 1000 and 1200 meters (INPI, 2020). In other words, there was adaptation of the initial registration in 2011 to the reality of production that has specialized over this decade of cultivation.

To be entitled to use the Denomination of Origin, the coffee must be 100% Arabica, fully traceable and produced with good agronomic practices respecting the environmental and social legislation, adequate post-harvest processing and reach a minimum classification of 83 points in the evaluation by the American Specialty Coffee Association - SCAA methodology. Another characteristic of the production is that it is composed mainly by family producers and with harvesting done manually due to the large amount of hills in the place.

Currently, the coffee from the region is among the winners of major world competitions, such as the renowned Cup of Excellence.

Conclusions

In the process of recognising geographical signs in Brazil, we have come up against some obstacles, including the fact that registration is not always duly consistent with the reality of production or the collectivity. In a scenario where competitiveness is increasingly fierce, nothing could be more natural than for GIs to be able to adapt to changes in the original conditions, to what has been learned from past failures or even to adapt to developments or new market strategies.

This is the relevance of the legal possibility of alteration of registration in the face of this reality. Not having studied any case, local producers decided to be identified only by the DO, the most valuable sign of origin in the quality coffee market aware of demanding consumers, especially the international one. Due to its pioneering nature of being the first change of GI registration in the country, the case studied of the "Mantiqueira de Minas" may be useful to other collectives interested in changing their GI registration.

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The scope for developmental dynamism after Geographical Indication specification: The case of Japanese kaki

Naoko TAKAHASHI[1], Hart N. FEUER[2]

Abstract **– Japan is a country that has a considerable history of marketing historical agri-food products, with Geographical Indication (GI) emerging as a recent trend. One of the most iconic and illustrative cases is the production of persimmons, or kaki. With many varied GI registrations, kaki regions constitute a "spectrum" of divergent approaches to specifying product characteristics, permitting various technologies, and accommodating contemporary economic realities. The case studies presented in this paper, surveying diverse hoshigaki (dried persimmon) GIs ranging from micro-production areas to relatively large-scale regions, illuminates an emerging form of heritage governance, in which the policy goals and intentions can be impacted by the product specification choices of some actors. We evaluate how regional stakeholders' divergent views of terroir are sanctioned by authorities, undermining the spirit of an entire GI policy and threatening patrimony.**

Keywords **– Geographical Indication, persimmon, Kaki, Japan, heritage governance**

Introduction

While branding and trademarks have encouraged agri-food producers to nominally differentiate and characterize their products, the *sui generis* geographical indication (GI) systems that have become more commonplace worldwide thanks to European advocacy demand more detail and, in turn, incite more debates about identity, continuity and. While producers certainly considered important factors, such as the provenance of ingredients, suitability of mechanization, permissibility of food additives, and uniqueness of the agroecosystem, GI obliges them to explicitly define these factors along certain criteria in GI books of specification. The Ministry of Agriculture, Forestry and Fisheries (MAFF), which introduced the Japanese *sui generis* GI system in 2015, has nominally followed the European criteria for specification but producers are given considerable leeway in the extent to which they codify terroir (Gangjee, 2017). The outcome of this flexibility is visible in the wide range and inconsistency of specification approaches adopted in the numerous hoshigaki (dried persimmon) GIs.

Japanese kaki has such a distinguished reputation that the term 'kaki' has become common parlance worldwide. The intense seasonality, broad varietal diversity, subtle organoleptic properties, and aesthetic form of hoshigaki are potent distinguishing factors. However, kaki production has evolved heterogeneously in both subtle and fundamental ways, leading to divergent approaches to product specification. This divergence illuminates an emerging form of heritage governance, in which strategic behaviour by some producers may undermine the global utility of the GI policy (Belletti et al., 2015). The wide permissibility in codifying production specifications in applications, and the wide space for later dynamism questions the very notion of heritage and the spirit of GI initiatives.

Method and data

This paper investigates four Japanese GI hoshigaki registered at the time of the most recent survey (June/July 2020). Two hoshigaki sites were studied in autumn 2018, including open-ended interviews with producers, GI management groups, and retail staff. As secondary sources, books of specification from MAFF and a range of publicly available documents were analysed (marketing, websites, other agri-food certifications). Our investigative goal was to triangulate how stringently the applicant establishes the linkage to the terroir and justifies accommodations for contemporary economic and technical conditions.

Survey results

Since our research objective poses a question about the extent to which applicants agree on GI standards to maintain authenticity while keeping space for dynamism, we elaborate the three most critical terroir dimensions: geographical, physical, and technical.

Geographical dimension

Geographical features necessarily coincide with GI conception but may not be emphasized or precisely codified to retain flexibility. Commonly, ecological conditions such as climate, variety, and soil are referenced, as they relate to agricultural production and processing. However, geographical aspects of kaki agriculture have become subsidiary to processing. Climate is referenced consistently for the drying step (e.g. low humidity, breeze, temperature swings) but rarely about its effect on agriculture. Meanwhile, soil and ecological conditions are not often paid attention to despite the relative ease to acquire scientific data.

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Physical dimension

The physical description of GI kaki typically converges on superficial appearance, such as colour, shape and weight. Organoleptic information usually emphasizes their sweetness because but few subtle flavour characteristics are sought out for representation. All the Kaki production regions set a quality standard about weights and appearance. The largest site, Ichida Kaki has more flexible written standard, in which the final products must fulfil its "mandatory standard", as well as more than three out of five "comparative standards" to qualify as a GI. Meanwhile, smaller production areas have adopted a strategy of less explicit GI rules, preferring instead to control their quality a peer- and self-monitoring system.

Physical features are explained as attributed to the kaki variety and processing methods. Local and unique varieties tend to be more clearly specified. Only Higashiizumo no Maruhata uses a basic Kaki species for raw material. Hoshigaki productions surveyed feature from 200 to 1000 years of history. Historic description includes other trademarks and awards obtained and the facts like offered to the emperor, which was one of the most honourable representations.

Table 1. GI Hoshigaki Production (as of July 2020)

GI Name	**Ichida**	**Noto Shika Koro-gaki**	**Dojo Hachiya**	**Higashi izumo Maru-hata**
Registration	Jul. 2016	Oct. 2016	Dec. 2017	Dec. 2019
Number of producers	~1800	135	68	16
Cultivation Area (ha)	260	84	~10	15

Technical dimension

The technical standard constitutes a consensus between producers and certification managers. Processing steps for hoshigaki can be basically divided into four steps: peeling and dehulling, sulphur fumigating, drying, and massaging. However, each production area has slight differences; for example, Higashiizumo no Maruhata has no sulfur fumigation, while Dojo Hachiya adds one more step—brushing the surface with a rice-hull broom after massaging, which represent a symbolic traditional custom.

The allowance for machine farm use is significantly dependent on cultivation scales (see Table 1) and choice of appropriate technology. For example, the largest Ichida Gaki production recommends mechanization to homogenize quality and improve efficiency. In turn, relatively small sites allow only no, or only primitive gadgets such as a fan. Middle large production areas like Noto Shika Korogaki, are moderately strict. However, labour-intense standards in extremely aged Japanese agrarian regions that are struggling to find successors may hesitate to lock themselves into strict standards. Stakeholders therefore must try to balance public disclosure that help to preserve accumulated knowledge but also maintain space for young entrepreneurialism.

Conclusion

Japanese agri-food producers, who by now have a long and varied history of branding, are in a strong position to critically reflect on, and elicit, the marginal benefits of this new European GI scheme. However, some characteristics of the *sui generis* GI model of certification, particularly the fixed product specifications and public disclosure of standards, are potentially at odds with the branding instincts of many producers. While hoshigaki have a long history in Japan, their development has also been marked by incremental technical evolution, rationalization of processing, and toleration of idiosyncratic practices, rather than unthinking perpetuation of tradition. The advent of the GI system in 2015 presented a dilemma for highly reputed hoshigaki regions by requiring explicit and transparent specification of production practices among members of producer groups whose success had formerly relied on developmental dynamism.

Importantly, the historical success of Japanese hoshigaki has depended on a singular focus on outcome rather than inputs. Even in the specification of a persimmon variety, which is nominally an input, the focus is on the variety's contribution to the shape, texture, and aesthetic of the final product. As a consequence, typical terroir elements, such as the soil and ecological conditions, are left mostly unarticulated in GI books of specification, while factors that influence processing, such as texturization, climate for drying, and physical quality assessment, are more explicitly referenced. Furthermore, the GI producer groups inscribe their specifications in ways commensurate with their production scale to ensure sufficient space for developmental dynamism. The larger producer (Ichida Gaki) adopted a model of "comparative standards" to retain flexibility, while smaller producers leave more vagueness in their standards while relying on high in-group solidarity to discipline and monitor production quality.

With a nearly perfect record of obtaining GI certifications, the wide range of approaches to specification is indicative of considerable strategic behaviour and self-awareness of the standards "game" by producers. The toleration of such strategic behaviour has implications for the integrity of the GI policy.

Acknowledgement

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Sélectionner les produits à enregistrer en Indication Géographique : démarche mobilisée et résultats obtenus pour quatre pays africains

P. Pédelahore, M. Gonomy, D. Sautier, C. Cerdan, F. Thouillot et S. Fournier[1]

Résumé - L'enregistrement de la dénomination d'un produit comme Indication Géographique (IG) et le développement de la filière IG correspondante forment un processus qui s'établit généralement sur plusieurs années. Il requiert une forte implication des acteurs publics et privés. Il est donc nécessaire de s'assurer avant d'engager un tel processus que les produits choisis présentent les caractéristiques et conditions les plus favorables possibles.

Cette communication décrit la démarche mobilisée pour sélectionner des produits au Bénin, au Cameroun, en Côte D'Ivoire et en Guinée. Elle détaille les quatre étapes de la démarche utilisée à savoir : identification, caractérisation, notation et sélection des produits IG potentiels. Cette démarche s'appuie également sur une grille de caractérisation des produits potentiels qui propose de documenter et de noter les quatre critères suivants : faisabilité de la reconnaissance en IG, capacités collectives d'action des acteurs locaux, potentiel commercial, emploi et environnement, et appuis de l'Etat ou de projets.

Elle présente les résultats obtenus à chacune des quatre étapes ayant conduit à la sélection finale de 6 produits à enregistrer en IG et en tire des enseignements plus génériques.

Mots clés : sélection, produit, indication géographique.

INTRODUCTION

L'enregistrement de la dénomination d'un produit comme Indication Géographique (IG) et le développement de la filière IG correspondante forment un processus qui s'établit généralement sur plusieurs années. Il requiert une forte implication des acteurs publics et privés. Il est donc nécessaire de s'assurer avant d'engager un tel processus que les produits choisis présentent les caractéristiques et conditions les plus favorables possibles.

Cet article présente la démarche suivie et les produits choisis en 2018 lors de la deuxième phase du Projet d'appui à la mise en place des indications géographiques dans des Etats africains (PAMPIG 2). Ce projet devait en effet répondre à la question suivante : quels sont les produits à retenir pour le Bénin, le Cameroun, la Côte d'Ivoire et la Guinée et comment les choisir ?

DEMARCHE ET METHODES

La démarche suivie pour réaliser la sélection des produits à retenir pour ces quatre pays s'est appuyée sur les travaux et publications antérieures sur ce sujet (Barjolle et Vandecandelaere, 2012 ; Bicholat, 2012 ; Fournier et al, 2012).

Cette démarche prévoit quatre étapes pour conduire le processus aboutissant au choix des produits :

1. Identification des produits
2. Caractérisation des produits
3. Notation et classement des produits
4. Sélection des produits

L'identification des produits a été réalisé depuis la France grâce à l'analyse des données bibliographiques (articles scientifiques et journalistiques, rapports d'expertise et de projets, thèses) et la consultation de personnes ressources (experts et chercheurs internationaux et nationaux). Elle a abouti à l'établissement d'une première liste de produits potentiels pour chacun des quatre pays.

La caractérisation des produits a été conduite à travers la réalisation de deux missions d'expertise successives sur le terrain. La première, d'une durée de deux à trois jours par pays, a complété avec les acteurs nationaux publics et privés la liste des produits potentiels et a surtout précisé les caractéristiques des produits listés. Elle a également permis de réaliser avec eux un premier classement et une pré-sélection des produits qui apparaissaient les plus prometteurs. La seconde mission, d'une durée d'une quinzaine de jours par pays, a caractérisé de façon approfondie les quelques produits présélectionnés par la première mission et a procédé à leur notation argumentée et définitive. Le tableau 1 présente les critères et les données à renseigner pour cette caractérisation

Chacun de ces quatre critères a été noté de 0 à 4. La somme des scores obtenus pour les quatre critères a été utilisée pour qualifier de façon résumée le potentiel d'enregistrement en IG du produit et de développement socio-économique de la filière. Ce score total, va de 0 (potentiel nul) à 16 (excellent potentiel). Il a servi de base de référence pour classer et choisir les produits à retenir.

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Tableau 1 Grille de caractérisation des produits IG potentiels

Critère	Données à renseigner
Reconnaissance en IG et Faisabilité de l'enregistrement	Spécificités du produit Lien au terroir Notoriété Faisabilité de la délimitation, du contrôle et de la traçabilité
Capacités collectives d'action des acteurs locaux	Structuration et importance des organisations existantes Niveau de leur motivation par rapport à l' IG
Potentiel commercial, emplois et environnement	Volumes et prix actuels et futurs du produit IG Impact de l'IG sur l'emploi et l'environnement
Appuis de l'Etat ou de projets	Situation passée, actuelle et future

Resultats

Les résultats concernant le nombre de produits identifiés, caractérisés, notés, classés et sélectionnés à chacune des étapes de la démarche suivie sont présentés dans le tableau 2. Ils concernent l'ensemble des quatre pays déjà cités.

Tableau 2 Résultats des différentes étapes

Etape	Nombre de produits
Identification	117
Caractérisation (1ère mission)	42
Présélection (1ère mission)	18
Caractérisation (2ème mission)	18
Sélection finale	6

Le détail des scores totaux obtenus par chacun des 18 produits présélectionnés pour l'ensemble des quatre pays est présenté à la Fig. 1. Les limites budgétaires du projet ont conduit à retenir les six produits ayant obtenu les meilleurs scores totaux soit : 2 produits pour le Bénin (le gari sohoui de Savalou et l'huile D'Agonlin), 1 pour le Cameroun (le cacao rouge du Cameroun), 2 pour la Côte d'Ivoire (l'attiéké des Lagunes et le pagne Baoulé) et 1 pour la Guinée (l'ananas de Friguiagbé).

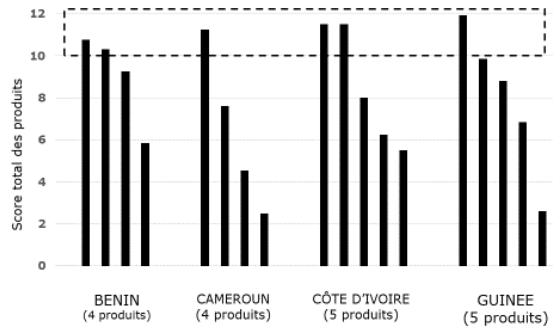


Figure 1. Score total de chacun des 18 produits potentiels

Discussion

Le choix du quatrième critère de caractérisation « appuis de l'Etat ou de projets » répondait à un contexte de « Projet » dans lequel, tant le bailleur que l'organisme chargé de sa mise en œuvre, étaient soucieux de privilégier des produits déjà bien connus, ayant bénéficié ou bénéficiant d'autres appuis et pouvant être enregistrés et développés dans un délai relativement court, pour des montants maitrisés et permettant de développer les synergies interinstitutionnelles au niveau de chacun des pays. Ce choix des critères est bien sûr à adapter en fonction du contexte et des objectifs fixés à ce processus de sélection. Il est ainsi possible (Barjolle et Vandecandelaere, 2012 ; Fournier et al, 2012) de remplacer ce quatrième critère par un critère dédié spécifiquement à l'évaluation de l'impact environnemental de l'IG si celui-ci constitue une priorité pour les politiques publiques du pays et/ou les acteurs locaux du terroir ou de la filière considérés.

La capacité à classer et à sélectionner les produits de façon pertinente s'améliore au fur et à mesure que s'accroit l'exhaustivité, la fiabilité et la précision des données permettant de documenter et de noter les critères de caractérisation. Mais les experts ne pouvant réaliser un travail de caractérisation approfondie sur un nombre trop important de produits, un équilibre « optimum » est à trouver entre la qualité de l'information détenue à un temps « t » et la pression de sélection exercée. Dans notre cas nous avons suite à la première mission éliminé 85% des 117 produits initialement identifiés pour n'en conserver que 18. La deuxième mission a permis d'approfondir la caractérisation de ces 18 produits et de mieux documenter et argumenter la sélection des 6 produits finalement retenus, éliminant ainsi 67% des 18 produits présélectionnés. Ces deux taux de sélection sont similaires à ceux (88% et 67%) appliqués par Fournier (2012). Ils ont permis d'approcher l'équilibre mentionné plus haut. Mais ici encore il appartiendra aux praticiens, en fonction du nombre de produits identifiés initialement, de leurs ressources en expertise, et du nombre final de produits à retenir de définir au mieux, avant de commencer leurs travaux, les pressions de sélection à retenir pour chacune des étapes de caractérisation et de sélection qu'ils se proposent de conduire.

Bien qu'il soit en pratique parfois difficile de renseigner de façon précise l'ensemble des critères, ce type de démarche et de grille de caractérisation permet d'objectiver et de légitimer le choix des produits

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Silent registered GIs in the EU: What is at Stake?

Andrea Zappalaglio, Giovanni Belletti, Andrea Marescotti[1]

Abstract **– The present paper investigates the topic of 'silent registered Geographical Indications' (GIs), defined as GIs that after their registration, or nonetheless during a relevant period of time, have fallen into disuse or are employed considerably beyond their expected potential. In particular, by applying an empirical methodology, the research will constitute the first attempt to analyse and measure this phenomenon from an EU perspective, especially, although not exclusively, in the context of Italian GIs. First results highlight the extent of the silent GIs phenomenon and the need for further investigation to understand the reasons behind it. The issue of silent GIs can be tackled from two diverging perspectives: one considers silent GIs as detrimental to the GI system as a whole, while the second argues the need to maintain their protection in view of the prevention of generalisation of GIs and the indirect economic effects they can still play.**

Keywords **– EU Geographical Indications; Silent Registered Geographical Indications; Cancelled Geographical Indications; Italian Geographical Indications.**

Introduction

This paper is aimed at exploring the under-researched issue of 'silent registered 'GIs'. For the purposes of the present research, these will be defined as GIs that after their registration, or nonetheless during a relevant period of time, have fallen into disuse or are employed considerably beyond their expected potential. Taking the EU GI system and the Italian PDOs and PGIs for agricultural products and foodstuffs as sample, the research will constitute the first attempt to assess the importance of this phenomenon as well as to discuss the role that silent registered GIs can play and what they reveal about the nature of this Intellectual Property Right. One must also consider that under art 54 Regulation 1151/2012, corresponding, in the Italian legal frame, to art 14 DM 14 October 2013, every registered GI which is not used for a period of 7 years may be subject to cancellation.

Practice suggests that the reasons for the non-use of a registered GI include: (1) products / methods of productions related to a good the production of which is today very rare; (2) top-down registration processes conducted by local public authorities without proper level of involvement of the local communities of producers; (3) disproportionate unbalance between the costs of the use as certifications and the expected benefits.

Methodology

In order to achieve the above mentioned results, first of all, the investigation will look for data on cancelled EU GIs. Particularly, it will try to assess whether the cancellation of the geographical name from the register also led to the disappearance of the product or, instead, the latter is still locally produced but without the use of a quality scheme. In order to deepen our understanding of this specific aspect, some *ad hoc* case studies may be taken into consideration if relevant and practically retrievable.
Furthermore, the analysis will track silent Italian GIs that, nonetheless, appear on the register. This will be done by selecting registered GIs which meet at least one of the following two criteria: (1) specifications that have never undergone even minor amendments, according to the *eAmbrosia* database; (2) PDO-PGI products for which there are no or very small certified values and volumes in 2018-2020, according to *Qualidò databank*. The GIs identified following the application of the above mentioned criteria, will then be subject to an additional desk research aimed at gathering more information on the status of the products, on the existence of known manufacturers and/or of an active association of producers.
This empirical approach will make it possible to assess the current situation of the register concerning 'silent GIs'. This will open the doors to a debate on critical issues such as the reliability of the register as well as the legal and economic nature of GIs.

Interim Results

A research conducted on the *eAmbrosia* database reveals that, to date, only 4 agricultural products have been formally cancelled from the EU register. In particular, the two PGIs, 'Salaisons Fumée, marque nationale Grand-Duché du Luxembourg' and 'Viande de porc, marque nationale grand-duché de Luxembourg' were registered in 1996 following the 'Simplified Procedure', i.e. art 17 of the old Regulation 2081/1992. They were cancelled due to lack of use after having remained substantively inactive on the register, without amendments or notifications of any kind. Instead, the French PGI 'Volailles de Loués' was cancelled due to the decreasing volume of products marketed under the registered name and the decision of the producers to promote the sales under a different Indication of Geographical Origin. Finally, the German PGI 'Holsteiner Karpfen' was cancelled due to the deterioration of the conditions of the production.

The GIs presented above can be included in two categories: (1) products which have always remained essentially inactive; (2) products the production of which has steadily decreased due to various reasons. However, a sample of 4 indications is clearly insufficient to come to any conclusion.

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This is especially true considering that recent research has shown that both the European Commission and the individual National Competent Authorities are not used to actively monitoring silent registered GIs and, in case, proceed *ex officio* to their cancellation on a regular basis. In particular, the analysis of the practice of the latter institutions has shown that some of them: (1) are usually not interested in carrying out such task and/or (2) are not considered as parties having a 'legitimate interest' in requesting the cancellation of a GI, as required by art 54(1) Regulation 1151/2012 (Guerrieri, 2022).
Hence, the research has applied the methods presented in the Methodology section to identify registered GIs that are inactive or underused but not formally cancelled.

With regard to the **first criterion**, the research has identified the products belonging to Class 1.6 (fruit, vegetables and cereals fresh or processed), in which 118 products are registered, that according to the eAmbrosia database have never undergone any amendment.[2] The investigation is based on the hypothesis that the absence of any action may indicate that the registered GI is ideed silent. This preliminary analysis has led to the identification of 56 cases.

The **second criterion** has been applied to the same sample mentioned earlier. The methodology was operationalized identifying three alert situations: Silent PDO/PGIs, when the production turnover is below the €20,000 threshold in all three years 2018-2020; Suspicious PDO (PGIs, when the production turnover is between €20,000 and €50,000 in all three years 2018-2020; Doubtful PDO/PGIs, where the turnover is zero (not available) but there are not entirely negligible quantities of certified product. We excluded PDO/PGIs which have amended their specifications since 2016. Results are the following:

Typology	Number of PDO/PGIs	As % of total
Silent	15	12.7%
Suspicious	3	2.5%
Doubtful	7	5.9%

Source: Our elaborations on ISMEA data

In particular, suspicious and doubtful silent GIs need additional analysis in order to understand their real status. Overall, the combined application of the first and the second criteria has led to the identification of 21 cases of possible silent GIs.

Observations on the present findings and way forward

The completion of the empirical analysis presented in the previous sections will provide a first look at 'silent registered GIs'. On the basis of our first analysis, the extent of this phenomenon from an empirical perspective is very important, affecting approximately from 13 to 21% of PDO/PGIs in the category "Fruit, vegetables and cereals fresh or processed". These data call for reflection on the causes of this non-use of registered GIs and on the need to implement support actions for producers to facilitate their use in their commercial strategies; but on the other side, also question the appropriateness of maintaining their registration.

Therefore, as mentioned in the Introduction, this research will make it possible to tackle some fundamental questions concerning the nature of GIs. In fact, this issue is usually tackled from two diverging perspectives. According to the first, the silent registered GIs, either unused or underused, should be considered expensive, incapable of performing any significant market function, superfluous and, in the last analysis, detrimental to those which perform their commercial role effectively. Instead, according to the second, GIs are useful, regardless of their current widespread use. In fact, they prevent the misappropriation of a specific name or its genericization, thus keeping the door opened for the protection of the name on the marketplace in the future; secondly, even silent GIs can potentially play a meaningful short-term indirect economic role, for instance, in terms of cultural and touristic promotion of the area of production, among the other things.

Finally, the present research will be expanded through the following next steps: the completion of (1) the additional desk research mentioned in the methodology section and of (2) the analysis of representative case studies aimed at investigating the reasons for the non-use or under-use of a registered GI.

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[2] The sample has not taken into account 9 products registered after 2016 as, in that case, the lack of an amendment has been deemed physiological.

Communications non présentées

Empirical implications on creating and appropriating value in Brazil's cocoa chain with Geographical Indication

Ícaro Célio Santos de Carvalho[1], Luciana Marques Vieira[2]

There are enduring inequalities on distributing and appropriating value in agri-food chains, which are linked with organizational, economic and social complexities. We discussed value creation approach and resource-based view (RBV) theory as a conceptual overview to comprehend how do cocoa-chocolate chain create and appropriate value from the perspective of regional resources and geographical indications (GIs). The method is a qualitative research carried out and organized as a single case study about the cocoa-chocolate chain, located in the south of Bahia, Brazil. Our findings pointed out four categories for analysis, one main category about sustainability and three secondary categories associated innovative resources, sustainable practices and relational value. In addition, we highlight the GI as intangible regional resource may be linked with value creation and appropriation dynamics.
Keywords: **Value creation; Sustainability; Regional resources and capabilities**

Introduction

Agri-food chains often feature large industries that shape entry barriers, influence the division of labor system, control intangible resources and distribute wealth among supply chain actors (Abdulsamad et al., 2015). This modus operandis reflects in serious implications for cocoa producing communities, which live with critical social, environmental and economic issues, such as: persistent poverty among producer families in different communities around the globe, deficiencies in governance in these regions, lack of innovations in the field, increasing rates of deforestation, child labor, among others (Costa & Soares, 2016; Perez et al., 2020; Chiapetti et al., 2020).

In the last two decades, there was a growing pressure on companies, from NGOs, governments and consumers about sustainability, reinforce the importance of the sustainable development goals (SDGs) that represent how sustainability can involve the various organizational stakeholders, which also includes society in this discussion. In a supply chain, this pressure for sustainability affects all activities, with economic, environmental and social implications that derive from their products and processes.

This study adopted as an empirical field an agri-food chain, which was recognized in the face of a competitive global surroundings, with products that are positioned opposite to the commodity market, in order to act in a niche market through mechanisms of differentiation and reputation relates to natural and/or cultural features of a particular territory. Furthermore, it suggests a close relationship between actors, territory and regional products, in which relationships are based on a set of capabilities that can create value in global dynamics, based in a delimited regional performance, thus being an important strategic mechanism (Vandecandelaere et al., 2009; Lafargue et al., 2009; Bramley et al., 2009; Obloj & Capron, 2011; Lafargue et al. al., 2021).

These supply chain are based on a logic of local and limited production, restricted to the natural and human resources accessible in the region, recognized and made official by distinctive seals, such as the Geographical Indication (GI) sign, a mechanism used to ensure quality and reputation of the products associated with their origin, attesting to the relationship between the natural and cultural assets of the region and their products and services, thus, it is understood as a distinctive sign used to protect products that have a specific geographical origin, quality and reputation (World Intellectual Property Organization, 2019).

Therefore, the research question is: How can agri-food supply chains of origin create and appropriate sustainable value?

Literature review

The premise of this study considers regional structures as important sources to create value through regional resources and capabilities shared simultaneously by stakeholders that can be presented as tangible or intangible assets, linked to natural, human, cultural, institutional and organizational factors inserted in a given geographic limitation. There is a strategic potential in differentiating and strengthening the segment of origin, possibly being the first regional activity oriented towards value creation, by extrapolating the unitary sense of the company and expanding to an multistakeholders analysis in the supply chain (Burkert et al., 2017; Chicksand & Rehme, 2018).

A number of particular characteristics affect the organizations in the supply chains (or local network structures), which can be heterogeneous conditions, partially explored markets and development of technologies that can sustain competitive advantages. This conditions may be sufficient to define how these resources and capabilities can contribute to this discussion that has not yet been fully disseminated in the literature of sustainable supply chain, possibly due to the challenges that imply studies from the perspective of multiple stakeholders, with different interests (Barney et al., 2021; Lafargue et al., 2021).

The value approach can expand efforts in understanding the value derived from direct relationships between buyers and suppliers, mainly in markets has become increasingly complex, demanding collaborations, however, these multistakeholder structures is recent in this approach and have a potential to create value for different interests (Reypens et al., 2016; Eggert et al., 2019; Barney, 2021).

Method

The case study was about a producing region that has its reputation recognized through the geographical indication sign, in addition, it is also known as a territory of identity, which reinforces the importance of this region in strengthening community belonging place in its productive activity. It is noteworthy that the region has experienced in recent decades a transformation in its regional activities, mainly with the growth of the movement of origin, or quality, in the face of persistent socio-economic bottlenecks caused by the market structure of commodity cocoa. Thus, a series of possibilities can derive from this new structure for the small producers of cocoa and chocolate with a strong relationship with issues involving sustainability.

Data collection was qualitative, this study explored in depth the complexities that involve the sustainable agri-food supply chain. This approach generates a greater wealth of

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detail and recognizes the importance of nuances in the analysis. A study of this nature involves a series of empirical materials, in addition, it locates the researcher in the world under analysis and is constituted by an interpretive approach to reality, examining concepts in terms of meanings and interpretations in complex and specific contexts of analysis (Yin, 1981; Denzin & Lincoln, 2000; Ketokivi & Choi, 2014).

The research structure was a single case study, which allows for more in-depth results of the data (within case), through theory-generating case research, which highlights the situational characteristic of the analyzed context, focusing on the observation and analysis of the data (Eisenhardt, 1989; Ketokivi & Choi, 2014). The instrument used was the semi-structured interview, initially applied with specialists, then was carried out with different stakeholders included in this agri-food chains, such as: producers, private organizations, public and sectoral institutions, cooperatives, universities and government. In total, there were 30 interviews with regional informants that culminated in 29.1 hours of recorded audio. In addition, 317 pages of complementary documents and 7 hours of audiovisual documents made available through the sector meetings on the internet.

In this study, content analysis was used to interpret the data with scientific rigor. This technique provides significant results with highly reliability and replicability. Thus, the interviews were transcribed, renamed, coded and categorized, which made it possible to capture important information from this analysis, as well as using secondary data (documentary and multimedia) for integrated analysis (Eisenhardt, 1989; Yin, 2014). According to Sekaran and Bougle (2016), the content analysis technique is used to systematize symbolic content that can be recorded in different ways, that is, the analysis material can have different sources, being too indicated for situations in which there is a large amount of data, recommending the open categorization and, later, a axial coding, which allows inferences to be made about the messages within the data set, observing the existence and pattern of concepts and ideas in the analysed material .

Results

In the agri-food supply chain of cocoa-chocolate in the south of Bahia - Brazil, the results pointed out to a main category (sustainability) and three secondary categories (innovation, sustainable practices and inter-organizational relationships) that help to explain the main strategic resources and capabilities shared between organizations in this network to create value, this direction has been adopted by the market of origin through a series of activities and the development of a narrative that builds a bridge between the binomial of quality and productivity. These resources and capabilities have been used to contribute to positive cultural transformation in economic, reputational, relational, innovative and inclusive gains for the most vulnerable stakeholders such as small producers, who are often outside the sophisticated circuit of fine cocoa.

The sign of geographical indication in the cocoa-chocolate network in the South of Bahia adds legal, economic, commercial, cultural, symbolic, sustainable dimensions, in addition to bringing a regional discussion about the value added by using the sign and their cocoa or chocolate, but however, the long-term benefits of the seal are often overlooked. Several stakeholders collaborated for the recognition of the southern region of Bahia, whether universities, NGOs, public and private sector, represented by several regional organizations. Despite there are still several challenges for stakeholders to absorb their share of the value created from the GI. In addition, being highlight the importance to add to protocols that already exist or are developed locally so that, in fact, organizations can take capture value.

Some evidence points to this mechanism (GI) as an intangible territorial asset, which integrates capabilities based on assets at a regulatory level (law that protects the distinctive seal in the country - law 9.279/1996) and positional (about the region's reputation), as well as capabilities at a functional (with production modes based on the cabruca agroforestry system developed in the region) and cultural level (with regional monuments, narratives and know-how) that can be associated with regional competitive advantage, this reinforces the importance of the distinctive sign of geographical indication for the consolidation of this region has developed, based on a quality market that adds value to the products, but also to the social, economic and environmental context of the region. In addition, it characterizes and reinforces this GI's intangible resource as potential resource for regional activities, whether in the short, medium or long term.

The empirical results reinforce the regional effort to strengthen the market of origin with sustainable practices, supported by the engagement of multiples stakeholders and a sustainable narrative in this alternative market. These efforts have transformed the region into a national quality market benchmark, with pioneering laboratory activities for sensory quality classification in the sector. In addition, it assumes a social, environmental and economic of filling the bottlenecks that large industry has not yet filled. This movement can been associated with the geographical indication and the possibilities to reinforce the regional personality, with added immediate economic value to the producer, local protocols, ensured and audited transparency and traceability, strengthening intangible aspects in the region.

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La conveniencia de un régimen jurídico unitario para las denominaciones de origen como derechos de propiedad intelectual

Prof. Dr. Pilar Montero García-Noblejas [1]

Abstract –
La presente contribución persigue ofrecer una visión de las denominaciones de origen como derechos de propiedad intelectual y las consecuencias que esta naturaleza jurídica debería tener en su régimen jurídico en la normativa de la Unión Europea. Para ello, se pondrá en valor la conveniencia de tener un régimen jurídico lo más armonizado y preciso posible a nivel de la Unión Europea, que facilite el uso de este sistema, su aplicación práctica por todos los actores implicados, la coherencia con los demás signos distintivos de la Unión Europea, así como las relaciones internacionales con países terceros. Este trabajo está siendo confirmado por las últimas reformas de la Unión Europea, que vienen a reforzar la necesidad de armonización expresada en el presente trabajo.
Keywords **– derechos de propiedad intelectual-signos distintivos de calidad- indicaciones geográficas-**

INTRODUCCIÓN

La situación normativa en la Unión Europea, caracterizada por la existencia de reglamentos que diferencian por tipo de producto, así como el vacío existente en lo que se refiere a la protección de productos no agrícolas, impide que los productores europeos tengan los instrumentos necesarios para proteger y amortizar las inversiones realizadas en el caso de productos tradicionales, propios de regiones específicas, que les confieran una calidad y valor añadido. Es por ello que, existiendo ya en la Unión Europea un régimen jurídico para las indicaciones geográficas, se muestra oportuno apostar por una unificación del mismo, que permita superar algunos de los inconvenientes observados en la práctica, tanto a nivel de la Unión Europea, como nacional e internacional.

Para este estudio es necesario tener en cuenta el debate existente en torno a la caracterización jurídica de las indicaciones geográficas como derecho de propiedad intelectual, lo cual se muestra esencial para la configuración de su régimen jurídico. Este análisis es conveniente, puesto que hasta ahora numerosos estudios sobre las indicaciones geográficas se han centrado fundamentalmente en llevar a cabo un análisis separado por sectores, dada la diversidad normativa y la falta de unidad existente en el régimen de la Unión Europea. En ocasiones los estudios los analizan de forma aislada, sin tener en cuenta la necesaria interrelación dentro del panorama global de signos distintivos de la Unión Europea. Se muestra de este modo oportuno analizar la oportunidad de dotar a la Unión Europea de un régimen jurídico básico uniforme para las indicaciones geográficas que sea consecuente con su caracterización de derecho de propiedad intelectual. Y, por este mismo motivo, dada su naturaleza jurídica y sus relaciones con el derecho de la competencia, se muestra esencial dotar de la precisión necesaria a este derecho de propiedad intelectual de forma unitaria.

METODOLOGÍA EMPLEADA

A efectos de llevar a cabo este trabajo, se han tenido en cuenta las normativas tanto nacionales como de la Unión Europea sobre indicaciones geográficas, en diversos países, y en los Estados de la Unión, antes y después de la adopción del régimen de la Unión Europea. Esta normativa, además de encontrarse en los reglamentos que establecen su régimen jurídico, encuentra algunas normas especiales en la normativa sobre plataformas digitales, o marcas, que también han sido tenidas en cuenta. Con esta finalidad se analizan las características de todos los derechos de propiedad intelectual, para poder determinar los contornos de las indicaciones geográficas dentro de esta caracterización jurídica. Para ello se muestra esencial definir de forma clara el objeto de la protección, los límites, y además insertarlo de una forma sistemática dentro del sistema de los signos de calidad. Esto se ha llevado a cabo considerando la normativa de la Unión Europea, las reformas proyectadas en esta normativa, normas nacionales de terceros países, normativa internacional, la Jurisprudencia reciente del Tribunal de Justicia de la Unión Europea, jurisprudencia nacional, así como los registros existentes. Con esta misma finalidad se lleva a cabo un análisis tanto legislativo como de aplicación práctica de las relaciones con otros instrumentos como las Especialidades Tradicionales Garantizadas, las Marcas colectivas y de garantía, así como el derecho de la competencia desleal. Todo ello teniendo en consideración los derechos nacionales y el derecho de la Unión Europea, a efectos de resaltar las diferencias y poder evaluar el sistema normativo más coherente con la naturaleza jurídica de estos derechos.

RESULTADOS OBTENIDOS

Después de realizar un análisis de las características de los derechos de propiedad intelectual y de cómo se integran en esta categoría las indicaciones geográficas, teniendo en cuenta todos los regímenes existentes en los diversos países, es posible apreciar la cir-

cunstancia de que se trata de un derecho de propiedad intelectual con contornos especiales. Esas especialidades en cuanto a las funciones que cumplen, deben encontrar su justificación normativa en el Tratado de Funcionamiento de la Unión Europea, y ocasionan unos niveles de protección distintos, especialmente si se compara con otros signos distintivos. Por ello, las restricciones a la competencia que estos derechos comportan, justificados por la importancia del objeto de protección, avalan la oportunidad de un régimen armonizado, que establezca de forma precisa tanto los requisitos necesarios para la obtención del derecho, como los contornos del mismo, especialmente los límites, a efectos de que tengan el lugar que les corresponde dentro del panorama de derechos de propiedad intelectual. A la vez, esto ayuda a que se dibujen con claridad las relaciones entre estos signos y otros que pueden intentar utilizarse de forma alternativa y/o complementaria, como pueden ser las marcas de certificación, las marcas colectivas u otros esquemas de calidad como las especialidades tradicionales garantizadas. Especialmente importante en este sentido resulta la determinación clara de la evocación, así como su delimitación frente al resto de las conductas frente a las cuales se protege a las indicaciones geográficas, como el engaño al consumidor o el aprovechamiento de la reputación. La irrupción de las plataformas digitales como nuevos mercados en los que se negocian estos productos, así como otros riesgos que surgen del uso de las nuevas tecnologías, se han tenido también en consideración, poniendo de manifiesto la necesidad de adaptar el régimen de las indicaciones geográficas y que los niveles de protección de estos signos en el mercado analógico se encuentren en equilibrio con el régimen de protección que deben tener en al ámbito digital. También se ha apreciado que estas tecnologías disruptivas pueden ayudar significativamente a asegurar la trazabilidad y el cumplimiento de las características de los pliegos de condiciones, como elemento fundamental del sistema de las indicaciones geográficas. De esta manera se facilita aún más la comunicación de las características con el público, favoreciendo la confianza de los consumidores en esta clase de productos. Adicionalmente, las indicaciones geográficas constituyen un derecho de propiedad intelectual especialmente adecuado para garantizar las exigencias del pacto Verde Europeo, puesto que se trata de productos en los que es posible demostrar que se garantizan ciertas características, pudiendo ser una de ellas la garantía de una determinada sostenibilidad. No obstante, es preciso llamar la atención sobre los costes suplementarios que esta característica puede comportar para los productores, que tendrán que repercutir los gastos en el precio de venta final a los consumidores.

CONCLUSIONES

A la vista de lo analizado en el trabajo, se advierte una clara necesidad de regular las indicaciones geográficas dentro de los derechos de propiedad intelectual a nivel de la Unión Europea de forma armonizada, de manera que sea posible considerar que tenemos un marco jurídico básico unitario y preciso aplicable a este tipo de derechos de propiedad intelectual. Este resultado tiene unas consecuencias prácticas importantes en múltiples ámbitos. En lo que se refiere al ámbito de los derechos de propiedad intelectual, permite clarificar las relaciones con otros signos distintivos empleados en la práctica, ayudando a todos los actores implicados en su aplicación (oficinas de registro, productores, tribunales…etc.). También facilita la aplicación de normas trasversales aplicables a todos los derechos de propiedad intelectual que, en ocasiones, presentan dificultades para adaptarse a los contornos de este derecho de propiedad intelectual (por ejemplo, la normativa sobre el respeto de los derechos de propiedad intelectual -*enforcement*), así como la normativa emergente sobre los mercados y sobre los servicios digitales. Esta normativa facilita también la colaboración con los objetivos del Pacto Verde Europeo. Por todo ello, la existencia un régimen completo, autónomo, armonizado y preciso de las indicaciones geográficas a nivel de la Unión Europea produce un claro efecto de aumento de la seguridad jurídica, facilitando una mayor protección de los productores, de los consumidores y del mercado único europeo en general. Del mismo modo se configura como un instrumento especialmente adecuado para que se refuerce el liderazgo de Europa, constituyendo un instrumento clave dentro de los planes de recuperación y resiliencia.

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Concept of Collective Ownership under the Indian Geographical Indications Act

SULOK S K[1]

Abstract – The recent Basmati Rice controversy has brought the subject matter of Geographical Indications to the limelight once again in India. It puts forth the pertinent question of; who are the real owners of GI and whether India has any legal clarity about the ownership notion. It has led to my research paper attempting to unearth the legal notion of collective ownership in GI and whether it is adequately conceptualised in the Indian scenario.

The research has led to the understanding that the concept of collective ownership in GI in the Indian scenario is not adequately conceptualised. The history of the legal protection of GI traces back to the Pre-TRIPS period, wherein it was narrow in scope. In the Post-TRIPS scenario, the sui-generis legislation was adopted under the TRIPS mandate. There is a lack of legislative clarity on the concept, and the judicial contribution remains minimal. The case studies conducted reveal the lacunas when the concept is implemented on the ground, necessitating a proper legal articulation of collective ownership in the Indian scenario so that the real owners of GI are identified and protected.

Keywords – Geographical Indications, Geographical Indications Act, Collective Ownership, TRIPS Agreement.

INTRODUCTION

With more than 350 Geographical Indications (GI) registrations and the recent Basmati Rice controversy, the subject matter of geographical indications is attracting more attention than ever before in India. The ongoing Basmati Rice controversy in which the State of Madhya Pradesh has knocked on the doors of the Apex court of India for the inclusion of its regions under the Basmati producing areas begs one pertinent question; who are the real owners of GIs? And why is it that nearly two decades after the first application for registration of Basmati was filed in the GI Registry, the ownership issues remain unresolved?

It brings attention to the fact that the concept of ownership in GI is collective, as opposed to patent or copyright, which are generally individualistic, making it complicated as multiple parties are involved. Understanding the complexities involved in articulating the concept of collective ownership in the Indian scenario is thus essential to ensure that the real owners of GI are identified and protected.

The main objective of this study is to unearth the concept of collective ownership of geographical indications and to understand whether it has been adequately conceptualised in the Indian scenario?

A literature review conducted highlights similar concerns being raised. In their study, Nitya Nanda and Indrani Barpujari et al. (2013) have pointed out the ambiguities in the 'producer' definition under the GI Act and the lack of adequate consultative process with stakeholders during GI registration.

Yogesh Pai and Tania Singla (2016) identify the problems of lack of collective action by producers when competing with other products and throw light on the inability of Indian GI stakeholders to take action against infringing goods. In their study, Akanksha Jumde and Nishant Kumar (2020) highlight the anomaly of the authorised user concept under the GI Act and the need for legislative intervention.

The above studies point toward the lacunas in the collective ownership relationship (of which registered proprietors, authorised users and producers form part) in the Indian scenario and the need for further enquiry into it.

Part I of this study gives introductory remarks on collective ownership and a brief overview of India's articulation of collective ownership during the Pre-TRIPS period. Part II deals with how the TRIPS Agreement handled the concept and India's obligations under the Agreement. In Part III, the Geographical Indications Bill, the Bill introduced for domestic implementation of the TRIPS obligations relating to GI, is explored to comprehend the legislative intent behind the concept of collective ownership envisaged. Part IV discusses the notion's present understanding under the Geographical Indications Act, the Geographical Indications Rules and the Manual of Geographical Indications. Part V looks at the judicial contribution to the concept. Part VI deals with four case studies (GIs in Kerala) to appreciate the gap between the collective ownership notion envisaged and the ground reality. Finally, Part VII concludes with the research findings, the lacunas in the Indian scenario and suggestions to remedy the same.

The study comprises of two parts; a theoretical and an empirical component. The theoretical component comprises of unearthing the concept of ownership in GI in the Indian scenario and identifying the lacunas thereof. And the empirical component would utilise empirical analysis to comprehend the practical limitations when the ownership concept is implemented on the ground. The empirical analysis is conducted with particular reference to the agriculture and handicrafts goods in the State of Kerala.

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The methodology used to conduct the empirical study is the case study method. The data was collected with the help of a semi-structured questionnaire from relevant stakeholders. The four case studies conducted are on four registered GIs, namely Pokkali Rice, Nilambur teak (Agriculture goods) and, Aranmula Kannadi, Alleppey Coir (Handicraft goods). Within each case study, responses from all the relevant stakeholders (Registered proprietors, Authorised Users and producers) were obtained.

The major findings of the research are; that India has a long history of providing legal remedies to protect GI goods which extends to the Pre-TRIPS period. During the Pre-TRIPS era, both statutory and common law protections were available for GIs. It provided remedies to not only GI owners but also consumers and other stakeholders. Nevertheless, both the laws remained underutilised. So the concept of collective ownership articulated remained narrow in scope. Further, the pre-TRIPS history suggests that the Indian GI owners were not so keen on actively asserting their rights/ defending GIs against usurpation. It was the reason why only one GI was registered, that is Darjeeling tea.

The TRIPS Agreement represented a fundamental shift in the GI protection in India. The Agreement does not explicitly mention collective ownership but implicitly recognises GI as collective property. The countries have the full flexibility to contemplate collective ownership; nevertheless, the TRIPS negotiating history give some guidance from which India can gain useful cues. Further, India is fully TRIPS compliant with respect to its obligations as far as GI is concerned.

To implement the TRIPS obligations, the GI Bill was introduced in Parliament in 1999. The debates on the GI bill reflect the lack of understanding of the legislature of the subject matter at hand. The fact that India already had a long history of protecting GI during the Pre-TRIPS period and had registered Darjeeling tea as a certification mark was not reflected adequately in the parliamentary debates. No proper study was conducted to understand the pre-TRIPS scenario of GI in India and how the collective ownership in GI existed on the ground. Further, no serious scrutiny on how to implement the TRIPS obligations that best suit our domestic interest seems to be undertaken. Thus the policy objective of the discussions remained narrow in scope.

The narrow policy objectives as seen in the Bill also has got reflected under the Act. In articulating the collective ownership of the GI, the following concepts become crucial, namely 'producer', 'authorised user' and 'registered proprietor'. Multiple reasons prompt one to argue that the collective ownership notion is not adequately envisaged in the Indian scenario. Some of them are; i) no proper procedure for identifying actual owners of the GI, ii) the eligibility, role and responsibilities of a registered proprietor are not adequately envisaged, and iii) no mechanism to monitor changes in collective ownership relationship over time.

The judicial contribution to the exposition of the concept remains minimal. The case studies reveal the lacunas when the concept is implemented on the ground.

The four case studies conducted highlight that the GI's ground realities are different from those portrayed in the GI application. Some of them are the changes in the production process, the lack of uniformity in following the production process, and the development of fractions within the societies. The changes happening in the collective ownership relationship on the ground over time are not adequately monitored or reflected in the GI application. If allowed to be continued, the trend could have a disastrous impact on the GI. The lacunas identified in the law are the main reason for the situation on the ground.

The research findings necessitate immediate legislative intervention for a proper articulation of collective ownership in the Indian scenario.

In light of other studies, my research goes a step further in understanding the implementation issues to which the solution lies in formulating proper guidelines. The study highlights the need for legislative intervention to clarify the concept of collective ownership in the Indian scenario. It can help in providing better guidance to courts, GI examiners and other stakeholders.

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Taxonomy of Place-based Labels : Role of *Terroir* and Heritage Systems of Japanese Tea and *Sake*

Yoshitaka Miyake[1], Ryo Kohsaka[1]

Abstract **– Marks related to Geographical Indication (GI) has the aspect of communicating two elements of "place-based" characteristics and "tradition" in temporal scale, besides the technical standards. We comparatively analyze multiple modus of communicating "place-based" or "placeness" and authentic traditions such as regional designation (Globally Important Agricultural Heritage Systems: GIAHS), GI label, and environmental label. We focused on tea to be registered in a GIAHS site. GIAHS is promoting sustainable traditional livelihood based on socio-ecological landscape. We furthermore analyzed tea and *sake*: A hypothetical taxonomy of place-based labels and related schemes are proposed.**

The findings are; first, the registration of tea and *sake* involves various sectors and stakeholders with value-chain of highly valued products. Such value-chain provides unique opportunity to examine inclusion/exclusion process and dynamic communications. Second, tea production is frequently rich in history and their brandings are linked to the mixture of themes and *terroirs,* including symbolic species and biodiversity.

Synergistic relationships between GI and other labels or designation schemes can contribute to sustainable production and consumption of the registered products through the collaborations of various stakeholders.

Keywords **– Geographical Indication (GI); Globally Important Agricultural Heritage Systems (GIAHS); Place-based; Placeness; Socio-ecological landscape**

Introduction

This study introduced the hypothetical framework of spatial registration and explained each element. The analysis of elements contributes to understanding to utilize these registrations for Japanese tea and *sake*. The study first listed and explained the observed elements as taxonomy of "place-based" labels. The second part surveyed the mixture of applications of place-based registrations through the case of Japanese tea production area.

Method

This study consisted of the literature review and the introduction of tea under GI application within the GIAHS site in Japan, where the history is rather short since the introduction. The literature review focused on studies on the impacts of GI and other spatial registrations (Kajima et al., 2017; Kohsaka and Miyake, 2021); environmental and creature labels (Tanaka and Hayashi, 2010; Tanaka and Oishi, 2017). Case of tea production is based on Miyake and Kohsaka (2022). The study interviewed a relevant tea producer, staff of tea association, and government staff for promotion.

Result

Modus to communicate "place-ness"

This study identified the following five elements to communicate placeness or place-based characteristics, tradition, and technological standards in case of tea and Japanese *sake*. Each mode of communication is not exclusive. It can simultaneously involve multiple mode types.

(1) Story-telling is based on stories and iconic landscape about product and production characteristics derived from history and tradition (Kajima et al., 2017). It is also related to the identity of producers and appeal to consumers. Social construction affects persuasive of stories.

(2) Regional designation such as Globally Important Agricultural Heritage Systems (GIAHS) by the Food and Agriculture Organization of the United Nations registers the areal attributes such as bounded regions for conservation of traditional culture and the natural

Table 1. *Modus* to communicate "placeness" or "place-base"

	Communication	Focus
Story-telling	Verbal	Place-ness / Differentiation
Regional designation (GIAHS)	Visual/ Verbal /Non-Verbal	Place-ness / Livelihood / Tourism
GI labels (Tea)	Visual/Non-Verbal	Place-ness
GI labels (Alcohol)	Visual/Non-Verbal	Place-ness/ History/Authenticity Small-Size
Organic	Visual/Non-Verbal	Environment/ Sustainability
Environmental Label/Chain of Custody	Visual/Non-Verbal/Icon	Environment
Icon Living Creatures	Visual/Non-Verbal/Icon	Vague Place-ness/ Environment
Foods with function claims	Visual/Non-Verbal	Health/ Environment

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environment. Further examples include Biosphere Reserves (BR) designated by the Man and the Biosphere Programme of the United Nations Educational, Scientific and Cultural Organization (UNESCO); geoparks for its geological significance.
(3) GI registers product with quality in production and product related to the production region. Producers expect enhanced recognition and value of the product through the registration. This is expected to promote agriculture and other sectors in the region (Kohsaka and Miyake, 2021).
(4) Environmental label proves environmentally friendly practice on a certain process from production to consumption. A major example is organic food production maintaining and enhancing the health of agro-ecosystem while trying to refrain from the use of synthetic input (Codex Alimentarius Commission, 1999).
(5) Living creatures are frequently used as symbol of biodiversity, and the effects are economically justified (Tanaka and Hayashi, 2010; Tanaka and Oishi, 2017). In short, birds and frogs are "icon" to communicate and convey the positive message. In European context, salamanders are used for eco-parks. Yet, we argue that these icons are focused on "environmental elements," possibly comparable to environmental labels such as Forest Stewardship Council (FSC) and others.
(6) Functional claims are related to specific chemical content to enhance health or performance in mind or body. The content can be extracted and purified. Catechin in tea attracts the interest because it is said to decrease body fat and alleviate allergy (Horie, 2019).

GI application within GIAHS

Tea producers of Kikugawa City, Shizuoka Prefecture have been attempting to apply their fukamushicha for GI for differentiation from the one from neighbouring municipalities (Miyake and Kohsaka, 2022). Fukamushi means deep steaming; cha means tea. The GI application says that steaming time for Kikugawa Fukamushicha is longer than other production areas (Kikugawa Green Tea Association).
A main feature of GIAHS including Kikugawa City is *Chagusaba* practice, "traditional tea-grass integrated system" (Shizuoka Prefecture, 2017). *Chagusaba* means grassland for tea. Producers traditionally cut grass on slopes and utilize it as mulch and fertilizer for tea gardens. *Chagusaba* practice also contributes to biodiversity.
The GI registration of tea in a GIAHS site can add the quality of spatially bounded domestic and environmental quality (Miyake and Kohsaka, 2022).

Discussion

This study introduced modes to communicate placeness and hypothetical taxonomy of them. The case of Kikugawa demonstrated the potential to utilize multiple registrations, formalization of manifold placeness characteristics (Miyake and Kohsaka, 2022). This furthers the solidification of bounded placeness, symbolization, and embeddedness about communication of place-based characteristics of the products. This leads to recognition and increase of value on placeness, related environmental elements, and landscape. Production of *sake* has improved adopting modern technology and reintroduced traditional methods. Furthermore, intensive communication has recently increased the value and recognition of high-quality local *sake* (Sato and Kohsaka, 2017). Shift of taxonomy contributed to the increase.
Taxonomical modus of communication on placeness differentiates products and stakeholders. Communication and promotion of placeness involve both local and distant actors. In addition to modus of communication, future studies are demanded on types of stakeholder networks on place-based products. This study was also the preliminary analysis about registering multiple communication modes. The effectiveness also warrants future studies.

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Geographical indications and environmental sustainability: An institutional analysis of Mezcal

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Abstract **– Geographical indications (GI) have been widely used as a policy instrument aiming at fostering rural economic development across the world. Nonetheless, recent studies suggest that they have also been surrounded by significant issues of equity and sustainability. The present paper analyses the case study of the Mezcal GI due to its institutional complexity. The goal is to better understand to what extent institutional proximity elements have played a role in the acknowledgement of this GI, as well as its relationship with sustainable practices. To this end, we articulated the Learning Regions (LR) and the Localized Agri-food systems (LAS) frameworks, to analyse three different territories within the GI area of Denomination (Oaxaca, Guerrero and Michoacan). Our results indicate that institutional proximity has played a positive role in the acknowledgement of the Mezcal denomination of origin (DO) in Mexico, but it has also been associated to changes in the DO to enlarge the protected area. Moreover, the initial legal setting of the Mezcal DO and its evolution are associated to important environmental issues since its legal recognition in 1994, but some institutional proximity elements have played against this process.**

Keywords **– Geographical indications (GI) – Sustainability – Institutional proximity – Mezcal – Mexico – Agave**

Introduction

Throughout the world there have been many collective initiatives, often informal, which seek to highlight and to preserve the importance of the cultural heritage of food products with important economic and environmental benefits (FAO, 2018; Vandecandelaere et al., 2020). This has been the case of geographical indications (GI) or protected denominations of origin (DO), like Tequila in Mexico. The learning regions (LR) literature has stressed the importance of formal and informal institutions to strengthen economic performance and certification of GI producers. Besides, the localized agri-food systems (LAS) literature has emphasized the potential of local institutions to foster sustainable agri-food systems (Torres Salcido, 2017). Nonetheless, negative socio-environmental impacts of GI have also been found, particularly in the case of developing countries with weak governance and public bodies (Fournier et al., 2018). Mezcal is a Mexican spirit constituted as a DO with significant economic benefits, but also surrounded by institutional and environmental issues, such as exclusion of small producers and biodiversity loss (Bowen, 2015). For this reason, it results highly relevant to carry out an in-depth analysis of the institutional architecture of this DO and to identify how environmental issues have been addressed accordingly. Therefore, the following research questions will guide the present paper: In Mexico, have institutional proximity elements (either formal or informal) promoted the acknowledgment of the Mezcal DO since its legal recognition in 1994? What has been the relationship between the institutional architecture of Mezcal and its main environmental issues?

Methods

Throughout this work, an attempt will be made to answer these questions in a two-step process. The first part represents an in-depth review of different types of literature (academic, grey, legislation, newspapers and technical) to identify the most pressing institutional and environmental issues. Secondly, by narrowing the research to three case studies (Oaxaca, Michoacan and Guerrero) which were found to be relevant for this study. To this end, explorative interviews were carried out with key stakeholders throughout the Mezcal value chain, to deepen our knowledge of issues found in the literature review, as well as to discover ones that we might overlooked. Furthermore, these interviews were analysed according to their most relevant formal and informal institutional elements.

Results

With respect to the first research question, alternative certification methods might emerge in response to the capture of the legal framework of the Mezcal DO by a small group of actors, which fostered its economic expansion at the individual level rather than at the col-

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lective one. Formal and informal institutional proximity elements played a decisive role for the case of Michoacán, Oaxaca and Guerrero to find certification alternatives. Cooperation links were stablished between groups of producers, universities and/or international organizations to carry out political lobbying to enlarge the area protected under the DO, as well as to develop agroecological participatory certification methods.

With respect to the second research question, our results suggest that since its legal recognition in 1994, the legal setting of the Mezcal DO and its evolution have led to biodiversity loss, overconsumption of water and firewood and deforestation. However, at the state level some institutional proximity elements have played against this process. The institutional architecture of Oaxaca has been characterized by an important role of cooperation ties between local universities and federal authorities to transfer technology to producers, with and a minor relevance of informal institutions. In Guerrero, both the formal and informal architectures have worked in favour of sustainability, either in the form of cooperation with international organizations or through diverse indigenous practices. In Michoacan there are few examples of formal and informal institutions in favour of sustainable practices.

Discussion and conclusions

Regarding institutional issues, the capture of the legal structure of the Mezcal DO by a small group of actors as the DO expands confirms the claims made by FAO (2018) and Fournier et al. (2018). With respect to environmental issues, actors in the state of Guerrero emerge as a very interesting case study, since they developed an alternative certification method (participatory agroecological certification) to guarantee the bio-cultural value of their Mezcal, in addition to the common DO certification provided by the Mezcal Regulatory Council. This case study supports the arguments made by Crescenzi et al. (2022) about the importance of informal ties, mostly neglected in public policy, as one of the most important drivers of regional development. The initial legal setting of the Mezcal DO and its evolution have been the cause of significant environmental issues, which supports the findings of FAO (2018), Larson (2007) and Vandecandelaere et al. (2020). Nevertheless, some institutional proximity elements have recently emerged to cope with these environmental issues, which might represent a bio-cultural localization of Mezcal as depicted by the recent literature on LAS (Torres Salcido, 2017).

The relevance and significance of this work stems in three main points. Firstly, it proposes for the first time a theoretical synthesis of concepts coming from two different institutional frameworks (LR and LAS) to analyse sustainability and acknowledgement issues of a DO. Secondly, the theoretical framework constructed was reframed into accessible questions, which were discussed with relevant stakeholders across the Mezcal-value chain. Thirdly, our work sheds light about what institutional architecture favours a denomination of origin that localizes the bio-cultural value of agri-food products, instead of fostering massive production with significant social and environmental issues. The case study of Guerrero represents a very interesting example of this type of GI. Hence, further research is needed to explore its main institutional assets, such as the relevance of informal institutions and cooperation with international organizations to foster sustainable development.

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Geographical Indications: What is their worth for protecting the connection between Australian regional food and origin?

Dr Paula Caroline Zito[1]

***Abstract* – This short paper shares findings from a case study conducted in the regions of Barossa Valley and Adelaide Hills, South Australia, Australia. The case study explored whether regional food producers based in those regions consider that Australia should implement a dedicated food Geographical Indications (GI) framework. This short paper reflects on the cases that exist at both a national and international level for the implementation of an Australian food GI framework, before identifying the key findings made as a result of the case study.**

***Keywords* – Geographical Indications, Food, Wine, Regionality, Regional Names, Connection, Origin, Australia, Barossa Valley, Adelaide Hills, Labelling, Intellectual Property, International Trade, Law.**

Introduction

This short paper explains the cases that exist at both a national and international level for the implementation of an Australian food GI framework. At an international level, the implementation of an Australian food GI framework would encourage Australia's trading partners that support food GIs to trade with Australia. This includes several of Australia's neighbouring countries as well as the European Union (EU) with whom Australia is currently negotiating the proposed Australia-European Union Free Trade Agreement (AUS-EUFTA). A food GI framework would assist with furthering Australia's agricultural and agrifood industries at an international level and effectively protect the value that exists in Australian regional names. Moreover, at a national level, a food GI framework would assist with overcoming the problems that exist as a result of deficiencies of current Australian consumer protection, passing off and trade mark laws that do not adequately regulate whether there is a connection between food and origin before Australian regional names are used on food labels to make an origin claim. The current lack of recognition and protection of Australian regional names pursuant to these laws is a key issue emphasised by the regional food producers who were interviewed as part of the case study.[2] Given the case for the implementation of an Australian food GI framework, it is important to understand the views of regional food producers, who are most affected by the legal regime. A case study was therefore conducted in the South Australian regions of Barossa Valley and Adelaide Hills. The case study explored the question: *whether regional food producers based in the Barossa Valley and Adelaide Hills consider that Australia should implement a dedicated food GI framework?* This short paper reports the key findings made from the South Australian case study with the purpose of underscoring the case that exists for the implementation of an Australian food GI framework, emphasising its importance at both a national and international level as well as its potential to significantly improve Australian intellectual property laws.

Method adopted in the case study

As part of the case study, food producers, food organisations and representatives from the South Australian food industry were interviewed. In order to obtain insight into whether the interviewees considered that Australia should implement a dedicated food GI framework, their responses were principally analysed with a view to determining the following: their knowledge of what is a GI; their satisfaction with the current level of legal protection for the connection between food and origin pursuant to existing labelling and consumer protection laws, trade mark laws, and other initiatives; their interest in a food Gi framework and the basis for their interest; their opinion on and experience with how regional food is connected to origin; and their thoughts on the key features required for a successful and practical food GI framework. This analysis was important to determine the South Australian interviewees' satisfaction with the current level of legal protection offered to the connection between food and origin. It was also important to determine their level of knowledge regarding GIs, and whether they were interested in having a food GI framework similar to the Australian wine GI framework. In particular, the basis of their interest in a food GI framework was analysed. In relation to the questions regarding the features that the interviewees considered important for a workable food GI framework, the answers were analysed to determine how regional food could be best connected to a region. This assessment was especially important given that the core purpose of a dedicated GI framework is to protect the link between product and place. Therefore, the analysis of the interviewee's answers as to how regional food is connected to origin was pivotal

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[2] The case study was conducted in accordance with Ethics Approval No HP-2013-075 provided by the University of Adelaide.

to ensure that the connection criteria that might ultimately be incorporated into an Australian food GI framework is practical.

Key findings from the case study

The key findings made from as a result of the case study included:

1. All the South Australian interviewees have some knowledge of what a GI is, albeit to various degrees.
2. Most of the South Australian interviewees are dissatisfied with the current level of legal protection of the connection between food and origin. They would welcome clearer laws requiring a connection between food and origin before food provenance claims might be made on food products.
3. Most of the South Australian interviewees are interested in a food GI framework to provide legal protection to the connection between regional food and origin. Many of the interviewees would welcome a similar legal framework for food as the Australian wine GI framework.
4. Most of the South Australian interviewees are of the opinion that for regional food to be connected to origin its core ingredients must be locally sourced. Similarly, most of the interviewees believed most of the production and processing of a regional food product should take place within a region to ensure connection between regional food and origin. The last proposed method of connection that most of the interviewees considered should apply between regional food and origin, is if the regional food is made using traditional processes or method unique to a region. The uniqueness of the process and method used was regarded as critical in establishing this connection.
5. Lastly, most of the South Australian interviewees believe that a food GI framework should include the following features: be tailored to Australia's cultural, political and trading needs; be inclusive; be collaborative; have simple rules and criteria for producers to follow; include an education roll-out for consumers to understand what a legal food GI framework represents; be administered by one governing body; and be assisted with government funding.

Utility of findings from the case study

The case study was very useful in providing insight into the basis of the regional food producers' opinions as to why Australia should implement a dedicated food GI framework. The findings from the case study have been used to provide valuable explanation and advice to Australian government and food industry as to how a food GI framework can be tailored to accommodate Australian food industry needs and ultimately protect against any further misuse of Australian regional names on food products that lack a clear and strong connection with Australian regions. Moreover, the findings of the case study have been used as the basis of advice to Australian government entities, such as the Department of Foreign Affairs and Trade and Intellectual Property Australia, on a possible new Australian GI framework for foods and extension of current GI rights in Australia, as well as the improvement of Australian intellectual property laws. These have all been important considerations in recent times for the Australian government given the negotiations between Australia and the European Union on the AUS-EUFTA in which GI protection remains a prevalent negotiation issue.

Conclusion

Overall, the case study disclosed that most of the South Australian interviewees do consider that Australia should implement a dedicated GI framework. The interviewees would like to see the implementation of a similar framework in the food industry as the Australian wine GI framework to provide better regulation and protection of the connection between food and origin and of the value that exists in the names 'Barossa Valley' and 'Adelaide Hills,' than currently provided pursuant to existing laws.

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LA INDICACIÓN GEOGRÁFICA Y SU PAPEL TRANSFORMADOR EN LA AMAZONIA: EL CASO DEL ESTADO DE PARÁ

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Resumen – La Amazonía brasileña llama la atención de la comunidad internacional por su extensa área compuesta por las más variadas especies animales, vegetales, minerales y, principalmente, sus habitantes. Un universo multicultural donde las personas que allí viven luchan a lo largo de la historia, ante el paradójico conflicto entre la preservación de la naturaleza local en estado virgen y los lineamientos que la evolución global impone como fundamento del desarrollo, que despierta interés en su explotación, generando un uso desordenado del medio ambiente. En este contexto, la indicación geográfica (IG) de productos relacionados con la Amazonía comenzó a merecer una atención especial en forma de políticas públicas dirigidas a la protección de los conocimientos tradicionales, así como la protección de aquellos que preservan efectivamente la cultura y la historia y, a menudo, ganan menos económicamente en la cadena económica, es decir: el productor. Este trabajo muestra cómo el estado de Pará utiliza las indicaciones geográficas como una posibilidad para preserver.

Palabras clave – Amazon; Preservación; Biodiversidad.

Introducción

En Brasil, las indicaciones geográficas están bajo la custodia de la Ley N° 9.279 de 14 de mayo de 1996, cuyo contenido regula los derechos y obligaciones relacionados con la propiedad industrial, donde se prevé la norma que permite la represión de las indicaciones geográficas falsas, así como de sus tipos existentes. En el país, la indicación de procedencia (IP) o la denominación de origen (DO) es una indicación geográfica.

La indicación de procedencia se refiere al nombre geográfico del país, ciudad, región o localidad de su territorio, que se ha conocido como un centro para la extracción, producción o fabricación de un producto en particular o la prestación de un servicio en particular. En cuanto a la denominación de origen, el nombre geográfico del país, ciudad, región o localidad de su territorio, que designa producto o servicio cuyas cualidades o características se deben exclusiva o esencialmente al entorno geográfico, incluidos los factores naturales y humanos.

En cifras, Brasil tiene actualmente el registro de 68 indicaciones de origen y 30 denominaciones de origen, entre ellas 21 extranjeras y 09 nacionales. En un análisis más íntimo de estos datos, notamos que los estados ubicados en la Amazonía tienen un menor número de indicaciones geográficas reconocidas en comparación con otros ejes geográficos del país, lo que nos permite concluir que un mayor incentivo a las políticas públicas enfocadas en la materia puede ser un impacto que ayude en la preservación de territorios con grandes valores de biodiversidad y conocimientos tradicionales, permitiendo que haya un equilibrio entre sus riquezas naturales y una mejor condición social para su población. El estado de Pará ejemplifica bien este scenario.

El estado de pará

El estado de Pará se encuentra en la región norte de Brasil, siendo una de las 27 unidades federativas. Tiene una extensión territorial de 1.245.870.798 km², obteniendo el título de segundo más grande del país. En términos de población, tiene 8.777.124 habitantes estimados, divididos en 144 municipios, con Belém como su capital.

Su extenso territorio ubicado dentro de la región amazónica permite las condiciones naturales más favorables para el reconocimiento de productos que vinculan sus especificidades a los nombres de los territorios ubicados dentro de sus fronteras, que deben merecer una atención especial por su protección.

La discusión del tema indicación geográfica en el estado de Pará es relativamente reciente, ya que la legislación brasileña que regula el reconocimiento de un IG es del año 1996 y, solo en el año 2019, tuvo su primera indicación geográfica registrada ante el Instituto Nacional de la Propiedad Industrial (INPI), autoridad federal responsable de evaluar y otorgar el reconocimiento otorgado.

La Indicación Geográfica puede ser utilizada como indicador, de manera que el desarrollo de las localidades pueda resultar de la explotación de productos y servicios que ya existen y forman parte de la vida cotidiana, pero que aún no han tenido la mirada necesaria para que su historia, cultura, condiciones geográficas, sean contadas y expuestas de manera organizada.

Productores y consumidores se dieron cuenta de que los peculiares sabores o cualidades de los productos de ciertas localidades ganaron especial atención del mercado por sus cualidades diferenciadas, que no son ni mejores ni peores, sino típicas (BRUCH, 2009).

Por lo tanto, el estado de Pará absorbe en su territorio grandes posibilidades para que el activo de propiedad intelectual e indicación geográfica actúe como un factor de transformación para sus localidades más diversas, al estar ubicadas en un área urbana o en un bosque preservado por las comunidades tradicionales.

INDICACIONES GEOGRÁFICAS DEL ESTADO DE PARÁ

El estado de Pará cuenta actualmente con el registro de 04 indicaciones geográficas, que son: Tomé-Açú para el producto de cacao, Marajó para el producto de queso, Bragança para el producto de harina de yuca, que son indicaciones de origen, así como la Tierra Indígena Andirá-Marau para productos waraná (guaraná nativo) y panes waraná (palo de guaraná), siendo una denominación de origen.

La indicación geográfica Tomé-Açú para el producto de cacao fue reconocida en 2019. Su notoriedad viene de mucho tiempo. En 1926, un grupo de científicos japoneses se dirigió en misión a Pará, con el objetivo de ubicar áreas en las que fuera posible instalar colonias agrícolas y, a partir de ellas, impulsar la economía a través del desarrollo de cultivos, así como prácticas de cultivo modernas, donde el municipio de Tomé-Açú era uno de ellos.

Las primeras semillas de cacao fueron introducidas en la región de Tomé-Açu en 1929 por inmigrantes japoneses, con el objetivo de establecer el cultivo de una especie perenne, nativa de la selva amazónica, la región desarrolló el llamado Sistema Agroforestal de Tomé-Açú (SAFTA), donde varias especies persisten en la misma zona y hacen que la estacionalidad de los productos admita la producción de varios cultivos durante todo el año.

La historia de los inmigrantes japoneses que llegaron a la Amazonía enfrentando y superando todo tipo de diculdades contribuyó a que el producto del cacao se hiciera notorio y permitiera la obtención de IG. Recientemente, las almendras de cacao de region Tomé-Açú fueron la base del chocolate oficial de los Juegos Olímpicos de Tokio en Japón, que fue un motivo de retorno económico y orgullo para la región.

El queso Marajó es un producto preparado a mano en la zona geográfica del archipiélago de Marajó, según la tradición histórica y cultural de la isla, donde llegó el primer búfalo, entre finales del siglo 19 y principios del siglo 20.

Con el paso de los años y con el aumento de la manada de búfalos, el producto comenzó a elaborarse exclusivamente con leche de búfala, cuya notoriedad se extendió a nivel nacional.

Actualmente, Ilha do Marajó posee la mayor manada de búfalos en Brasil y representa aproximadamente tres veces la población de todos sus municipios. Los animales y la producción tradicional de queso son el símbolo de la región, donde el conocimiento tradicional se transmite de generación en generación.

La Indicación Geográfica Marajó para el producto del queso, además de una forma de reconocimiento de origen y elemento legal para combatir las falsificaciones, protege la importante cultura local, agregando la venta de queso al turismo se promociona enormemente debido a esta fama.

La indicación geográfica Bragança para la harina de yuca tuvo su reconocimiento de la notoriedad que superó a varias generaciones. La cultura de la yuca ya era tratada por los pueblos originarios de la región, siendo parte del menú de la vida cotidiana y del movimiento de la economía local.

A lo largo del siglo 19, la región de Bragança ya había recibido inmigrantes europeos, así como brasileños de otras regiones. La comercialización de la harina de yuca, principalmente a través de la línea férrea que realizaba viajes entre Braganca y la capita Belém, oportunista que esta indicación geográfica se hiciera muy famosa hasta nuestros días.

Actualmente, la harina de bragança mueve la economia de la región y se puede encontrar a la venta en varias ciudades del estado de Pará. Algunas cooperativas ya están preparando el procedimiento para las exportaciones. La harina de Bragança es reconocida como patrimonio cultural del Estado de Pará.

La denominación de origen Tierra Indígena Andirá-Marau se encuentra en la frontera entre los estados brasileños de Pará y Amazonas. El guaraná nativo producido por la comunidad originaria sufre varias influencias geográficas, entre las que destaca la influencia de suelos de origen antrópico, entre ellos la llamada Terra Preta de Índio y Terra Marrom.

Las características únicas del producto derivan de los asentamientos indígenas derivados de las prácticas de gestión de residuos, como el carbón vegetal y las cenizas vegetales, los huesos de animales y otros restos de cocina y casa. Los suelos antrópicos permiten un mejor crecimiento, productividad y calidad del guaraná, haciendo que su forma de hacer y resultado final sea única.

PERSPECTIVAS FUTURAS

El estado de Pará busca a través de las indicaciones geográficas obtener una herencia para enfrentar el uso menos sostenible de sus productos. El aceite de andiroba y el chocolate de Ilha do Combú, el cacao de la Carretera Transamazónica y de la región del Baixo Tocantins, la miel de São João de Pirabas, Carajás y Curuçá, las artesanías en cerámica de Marajó, Tapajós y Parauapebas demuestran la riqueza de productos que se mantendrán por varias generaciones debido a la preocupación por su protección intelectual se espera que vinculada a la biodiversidad sea preservada a perpetuidad.

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Everyday food practices: GI products, sustainable consumption and health

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Keywords – GI, consumption, health, food culture, sustainability

Introduction

Geographical indications and healthy food might sound contradictory for some people, as consuming traditional food does not necessary fulfill the dietary guidelines. The potential for GIs to contribute to a healthier diet was however highlighted at a recent FAO seminar, with academic consensus from different scientific backgrounds (FAO, 2021) . Furthermore, some nutritionists focusing on gut functions and how to improve intestinal flora, give advice to cook from scratch and use organic food and GIs products they consider better than conventional ones thanks to their potential bio-active compounds and often a lower presence of potentially harmful pesticide residues.

The main objective in this paper is to share insights from fiedwork on everyday eating practices and food consumption and reflect upon the way GIs and quality food labelling can potentially contribute to healthier foodways or if products with these labels are perceived as having better nutritional values than standard food products. We offer some background and main concepts before we take a closer look at GIs and traditional food in everyday eating with focus on qualitative consumer research. We present some results from the Strength2Food (S2F) project and consider the potential of GIs for promoting a healthier and more balanced diet.

Before reporting what consumers - who were informants in the project - think, or not, about the link between GIs and health, an introduction about a healthy food, its meaning, general understanding and the ongoing strategies from stakeholders is provided.

Concepts and contextualisation

The *Farm to Fork strategy* aims "*to empower consumers to make informed, healthy and sustainable food choices*" and the Commission proposes mandatory front-of-pack (FOP) nutrition labelling. (European Commission 2020). But what do we mean by "*healthy and sustainable food choices*"?

Following the definition of Sustainable Healthy Diets by FAO-WHO, it concerns dietary patterns that promote all dimensions of individuals' health and wellbeing. It is worth noting that it does not only means eating well, i.e., having a balanced and diversified diet preventing all forms of malnutrition, but it undergoes a holistic perspective of physical, mental, and social wellbeing, where present and future people have the possibility to take care of their own bodies and mental health by moving regularly, avoiding stress etc.; it also includes what we can call sustainable consumption, expressed through those words "*dietary patterns that have low environmental pressure and impact; are accessible, affordable, safe and equitable; and are culturally acceptable*" (FAO-WHO, 2019)

A closer look at all dimensions *of individuals' health and wellbeing and sustainable consumption* through the prism of consumer practices can be very enriching. We propose here to understand healthy choices through the gaze of consumer practices, meaning that we do not only take attitudes and perceptions into consideration, but practices and words in situation. In other words, we refer to what our informants say about health or sustainability (a word they rarely use, although many of the practices are stimulated by what we would call a sustainable dietary behaviour). Health is not so often an attribute of literature on GI products. Nevertheless, according to Feldmann and Hamm (2015), the expected or perceived superior quality of such products is frequently linked to freshness, healthiness, and wholesomeness. Consumers also expressed greater trust in local food products, as local food are perceived as safer and easier to trace back. More altruistic attitudes towards local food deal with support of the local economy as well as environmental friendliness of the production and transportation processes. However, a growing number of life cycle assessment studies have shown that local or domestic production does not necessarily have advantages over imports from an environmental point of view (Nemecek et al., 2016). Schmitt et al. (2017) found that the strength of local products was mainly in health and socio-economic dimensions, especially in the link with the territory such as biodiversity, animal welfare, governance or resilience.

Method

To be able to better understand the use or non-use of GIs and other Food Quality Schemes as local or organic food, we had an ethnographic approach based on observation and direct participation in everyday life/food practices. In addition, semi-structured interviews, dialogic conversation with households and desk research were used. Ethnographic observations of the use of GIs, FQS, localand organic food were performed in six families in seven EU countries. Each household was visited three times during different seasons. The researchers gathered data on household food practices to shed light on the participants' interest for and use of FQS. Fieldwork implied participant observation in planning, purchasing and using/cooking/eating practices together with the household.

Major findings

One of the major findings is that GIs products are not a visible part of everyday food practices. They are mostly important in special occasions, where health is not a central issue. Many informants showed a great interest in health, quoting organic or trust to the producer, but without any special recognition of GIs as healthier. For example **Organic food** was often associated to health, environmental and/or social aspects. For some participants, the health benefits associated

with the absence of pesticides was a main reason for buying organic food:

"I think it grows with less pesticides, or without. Then I think it's healthier somehow and you don't have to wash it so much." (Germany)
"To me the most important thing is that the food is not sprayed […] I do not want to expose my children to chemicals." (Norway)
"According to me organic products are more controlled; less chemical products are used during the cultivation" (Italy)

The avoidance of antibiotics and GMO were other important health-related benefits associated with organic production, as mentioned by some participants, but not while speaking of GIs. In the case of Italy, where no specific national organic label exists on the market, participants are generally aware of the EU-leaf label. Due to the superficial knowledge of what organic means, most consumers generally associate this to healthier than conventional products:
"*Usually, if I see the green label, I play it safe…if I don't know the producers, that label can make the difference"* (Italy).
Moreover, the scale of production and social issues, also relevant for many GIS, were also discussed when talking about organic food. For example, the difference between artisanal and industrial production, as well as better animal welfare conditions were specifically mentioned. Both health and global environmental concerns came up when discussing organic food:
"*- Yes, healthier. It is more a matter of…. being better for health. Yes, the impact on the planet, yes, it is not… - Not necessarily in relation to ourselves."* (France, H3)
Buying organic food comes with a feeling of doing the "right thing" for health, while buying GIs was more linked to supporting producers or traditional culture.

Our fieldwork underlined the importance of **trust** for local food products and quality food. Close relationship between people and food and between consumers and producers is central for the appreciation of the product as well as a pillar for trusting GIs. When used and known, GIs are products consumers feel at ease with, and can awake "Emotional Practices" (Pétursson, 2018). Although several informants underline that GIs are small scale production, and therefore can have a healthier value, we have to underline that GIs are not necessarily produced on a small scale. But regarding small scale products, GIs can emphasize the intimacy between local place and local people who can meet, while for large scale products a similar relationship can be expressed but at a virtual level – hyperreal – (Amilien et al., 2007).

The cultural understanding of health

One of the most important issue in observing GIs in food practices in different EU countries, was that the consumers do not have nor the same reference to health, neither the same expectations, depending on the cultural frame. The same raw milk cheese can inspire either love or fear. Therefore, how to speak of health and GIs through a regular logo shared by all European countries or worldwide is challenging.

Nevertheless, advised consumers, who were well informed about food quality schemes and health diet, often had the same approach of healthy food wherever they lived. So we found similar logics according to social position (committed consumers) that can be as strong as, or stronger than, cultural differences.

Conclusion

Our informants showed a great interest in health but no special recognition of GIs as healthier. However, generally, GIs are not a visible part of everyday food practices. On the one hand, the close relationship with producers and products are central for the appreciation of the product and for trust. On the other hand focus on pesticides and chemicals in food products was common and organic food items were generally perceived as healthy/ier options, while not much recognition of GIs as better in this field was observed. Although we found that the perception of health is both linked to a cultural culinary grammar and similarities linked to social position (a global health culture), we need to acknowledge differences from culture to culture (as well as from product to product)and self perception and emphasize the weight of the cultural adaptation work (Hegnes, 2012).
Before communicating on a potential healthier value of GIs, there is obviously a necessity to (re)define, or adjust, concepts of "health" /"healthier diet" in a quality frame.
We see a further need for dedicated human intervention studies specifically investigating the effect of GIs on health are needed to prove such relationship, and for to exploring how cultural references may have impact on consumer behavior and see how this could be a mechanism to encourage healthy diets (or not).

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Geographical Indications as Global Knowledge Commons. Intellectual Property Rights and Discursive Strategies at the global level.

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Abstract **– In this communication, we extend the pioneering work by Hess & Ostrom (2003, 2007) by considering Geographical Indications as global Knowledge Commons (KC). Our analysis focuses on the institutional and political dynamics which have surrounded the intellectual property regimes (IPR) supporting GIs and its extension at the international level. Its adoption by a growing number of countries worldwide seems to indicate a paradigm shift opening new spaces for GIs recognition at the international level.**

Keywords **–Geographical indications, knowledge commons, collective action.**

Introduction

The reference to the geographical names and locations has always been since immemorial ancient time part of human heritage and a support for the development of impersonal trade. More recently, in the second part of the XXth century, the protection of Geographical Indications as formal Intellectual Property Rights have been subject to a number of sharp economic and political debates and negotiations at the international level, especially between the US and the EU (Chen, 1997, Lorvellec, 1997, Josling, 2006, Barham and Sylvander, 2011).

In this communication, we extend current researches, using the pioneering work of Hess & Ostrom (2003, 2007), to understand the institutional and political dynamics at stake at the international level that are currently involved for their entitlement as Knowledge Commons (Madison et al. 2010, Frischmann et al. 2014). First applied to scholarly knowledge in the context of digital technology, Hess (2012) proposed to extend the analysis to all forms of knowledge, to all forms of "shared understanding gained by experience or study", as well as "useful knowledge, whatever their forms in which they are expressed or obtained" (p.14), including indigenous, traditional, vernacular, scientific, cultural and creative works.

We argue that Geographical Indications are relevant candidates for being considered as "knowledge commons", e.g. all the shared collective knowledge resources, a complex knowledge ecosystem that is created and shared by a group of place-based local communities, and subject to social dilemmas" (Hess ans Ostrom 2007). The recognition of GIs is supported by specific combination of cultural and natural resources al resources defining their "terroir" being considered here as a "knowledge commons" shared among local communities in relation to their environment.

After giving an overview of the different lines of theoretical arguments and discursive strategies developed for the definition of IPR regimes on geographical indications, we investigate more precisely an alternative approach where geographical indications are defined as "knowledge commons" (Hess and Ostrom, 2007). Our analysis includes a discussion about the relationships and tensions between human traditional knowledge and the non-human biophysical environment (Downes, 2000).

Theoretical Framework

Following the classical taxonomy developed by Ostrom (1990) and illustrated by the Figure 1 below, that is discussed by Hess and Ostrom (2003), knowledge, in its intangible form, fell into the category of a "public good" since it is difficult to exclude people from knowledge once someone had made a discovery. However, the "public good" dimension is also not synonymous with open and free access.

In a similar way, geographical names are usually considered as part of the public domain as they provide key services in facilitating travels and mobility, by defining postal addresses and all related services. Since ancient time, geographical names, or place-names, have also become valuable trademarks when attached with specialty or quality products with a strong reputation (Galli 2017). Depending of the IPR regime, the various use of geographical names can be represented in the Ostrom's taxonomy as in Figure 1.

When geographical names become valuable assets by acquiring a large notoriety and reputation among consumers, private appropriation, including through usurpation, undue use or trademark registration is more likely (Stanziani 2004, Mazé 2015).

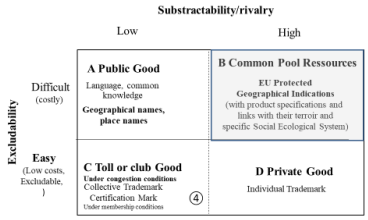


Figure 1. An extended Ostrom's taxonomy to the legal protection of geographical names (adapted from Mazé 2015).

Data and Methods

In order to better understand the drivers and shifts in the regimes of justifications and argumentations developed to support the creation of dedicated sui generis IPR regimes, such as the one for GIs, our analysis is based on an extensive survey of past and current academic literature on GIs, and a detailed analysis of current negotiations surrounding GI's in the international Trade agreement. These debates involved leading international organizations, such as the WTO, WIPO, FAO acting as a form of international polycentric governance, rather than a unified one, and as key institutional drivers of the diffusion of geographical indications worldwide (Mazé 2017).

Results

Over the last century, a number of international conventions (Paris's convention in 1883, Madrid's convention in 1891, Lisbon agreement in 1958 involving the WIPO – World Intellectual Property organization, have started providing added legal protections to famous place names against undue appropriation. In addition, the establishment in 1992 of EU legislation on GIs (EC 2081/92) has become

another key milestone for GIs recognition and extension worldwide.

In the mainstream academic literature, the protection of GIs has often been restricted to their reputation capital, without considering the role of local community in creating, maintaining, innovating and developing their collective knowhow about specific products as well as stewardship over their environment.

As first developed in France and later extended through the EU legislation, the legal protection of GIs acknowledges the importance of coevolving natural and cultural heritage, and the role of collective knowledge developed by groups of human actors (see OIV definition). Thus, GIs are not only based on "traditional knowledge", but rather should be viewed as co-evolving and innovative knowledge ecosystems, in line with the definition of "knowledge commons" proposed by Hess and Ostrom, 2007). Maintaining and supporting local communities involved in sustainable GIs production is one of the expected positive outcomes of their worldwide extension

Conclusion

During the last decades, the rapid adoption of dedicated institutions and legislations on Geographical Indications by a growing number of Southern countries open new perspectives for their legal recognition at the international level (Vandecandelaere et al. 2009). More recently such protection as been extended to handy craft products. The acknowledgement of GIs as shared "knowledge commons" offer a different perspective for the protection of "traditional knowledge" and specific know how of local communities on agricultural products and their agroecosystems, but also to favour stronger self-governance and stewardship of local communities for the sustainability of their specific agroecosystems as social-ecological systems.

Self-organization and collective action within GIs remain nevertheless subject to social dilemma. As stressed by Ostrom (2009) there is no one-fit-all institution solution. Acknowledging the role of GIs as "knowledge commons" is a mean and a strategy to better taking into account and prevent potential adverse effects observed when local GIs acquires a large notoriety and increasing consumer demand, sometimes to the expense of original GI's production and the sustainability of agroecosystems.

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Indications of Geographical Origin exclusive rights through the Unfair Competition rules

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***Abstract* – As Distinctive Signs, Indications of Geographical Origin are subject to special protection regimes in international treaties, as well as through the legislation of integration processes.**
There are three usual legal instruments which could be used for the protection of IGO: unfair competition rules, trademark law, and sui generis systems. The last two are based on granting legal monopolies.
Although producers establish the distinctive sign's goodwill, to take advantage for new markets, sometimes the legal monopoly granted might be turned into an abuse of dominant position in the market.
The real problem is not legal structures per se, but preventing these legal tools from being used for harmful actions.
The distinctive signs must be recognized for producers and legitimate users of IGO, but the enforcement of such rights must be exercised with special patterns.
As there is not a single definition for IGOs, unlike other Intellectual Property Rights, a new criterion of legal interpretation with international scope should be promoted.
So for the legal evaluation to determine the existence or not of an infringement against an IGO, legal operators should rely on a classic approach such as the one used in the context of article 10 bis of the Paris Convention.
***Keywords*: Distinctive Signs, Indications of Geographical Origin, Unfair Competition Rules.**

Introduction

Geographical Indications and Appellations of Origin – the last ones also called Denominations of Origin– are Intellectual Property Rights. Also, are one kind of Distinctive Signs, along with others such as trademarks and trade names.
Both are subject to special protection regimes with its own characteristics anchored in various International Treaties.
At first was released the Paris Convention for the Protection of Industrial Property (1883), which mentions Denominations of Origin as IPR but gives no special regulation.
Long after, the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (1958) appears, which ensure protection against any usurpation or imitation, even if the true origin of the product is indicated or if the appellation is used in translated form or accompanied by terms such as: kind, type, make, imitation, etc. The Lisbon Agreement does not differentiate the type of product for which the AO is to be used.
Finally, the creation of the World Trade Organization brings with it a whole package of bindings legal instruments.
Among them is the Trade-Related Aspects of Intellectual Property Rights Agreement (1994). This Treaty gives two types of protection. The first one, known as relative protection, for general product, and which is legally based on the Unfair Competition regulation, placing the burden on the owner of the sign to prove the infringement of its illegitimate use. On the other hand, there is an absolute protection, but only for wines and spirits, similar as granted by Lisbon Agreement, which makes it easier to prove the illegitimate use of the sign.

Legal Protection Alternatives

According with TRIPs –articles 1 and 22–, there are three legal instruments which could be used for term´s protection involved in Indications of Geographical Origin, those are: (i) unfair competition regulation, (ii) trademark law, and (iii) sui generis systems.
Also have to add the legislation of integration markets, as for example: in Mercosur –Mercado Común del Sur– the Protocol for Harmonization of Rules on Intellectual Property in the field of Trademarks, Indications of Source and Denominations of Origin; in CAN –Comunidad Andina de Naciones– the Decision 486; and, in the EU –European Union– the Regulations 1151/2012, 664/2014, and 787/2019.
Legal protection through the last two options (trademark law and sui generis systems), mostly, is based on the idea of granting legal monopolies to the legitimate owners.
That allows producers to establish the distinctive sign's goodwill, essential characteristic for any Geographical Indications or Appellations of Origin around the world.
These monopolies confer a dominant position, which the producers take advantage to conquer new markets and, with that, new consumers.
Although sometimes the actions developed through the granted legal monopoly, might be turned into an abuse of dominant position in the market.
The real problem is not legal structures that confer special protection to legitimate users of Geographical Indications and Appellations of Origin.
On the contrary, these legal tools must be prevented from being improperly used for harmful actions.

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In that same direction, neither Geographical Indications or Appellations of Origin, should be anyway used to undermine the position acquired in the market by a competitor. This, for example, was core in the ruling "Consejo Regulador Denominación Origen Calificada Rioja c/ EN – IN Vinicultura – Resol 32/02" by the Federal Administrative Court in Argentina (2012), when the utilization of term "Rioja" as an IGO for Wines, by both Argentinians and Spanish producers. This was questioned by the late ones, despite the exception contained in TRIPs Agreement –article 23.3- that finally was the legal foundation of the ruling.

The use of an only term

There is not only one definition for Geographical Indications, unlike other IPRs. This is mainly due to the lack of uniformity in the terminology used, with different legal scopes, depending on the applicable local regulation.

So, they do not always have the same *definiendum* and *definiens*. The definition's problem for GIs is not minor, and transcends the theoretical plane. Even more, it would be easier to arrive at a broader definition of Geographical Indications –*i.e.* through consultations with each country's registration authority–, than to the nature of the original term.

That is why it is convenient to adopt the terminology of Indication of Geographical Origin. This one shall include Geographical Indications, Appellations of Origin (Denominations of Origin), and even Traditional and Historic Names.

The new proposal

Our proposal is based on the legal recognition of exclusive rights on distinctive signs for producers and legitimate users of IGO, but with a subtle difference. We encourage the enforcement of such rights to be exercised through the unfair competition rules. The idea itself is not complety new, as the Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods (1891) was based on the same central ideal.

Therefore, we consider that a new criteria of legal interpretation should be promoted with an international scope.

Therefore, the legal evaluation to decide if there is or not an infringement against an IGO, should be based on a legal fiction. Fictions are usually used in legal text when there is a need of a patron of conduct.

In this case a predetermined average consumer standard should be used.

This would help legal operators to be allow to elucidate when an act of deception, confusion, improper use of the commercial image, or any other implying passing off conducts, are occurring.

The propose option would be usefull to harmoniously qualify the protection established in article 23 of TRIPS Agreement, which sometimes is used without considering the admitted legal exceptions.

As an example, in Argentina there is a recent Unfair Competition regulation by Decree 274/19. It defines an act of unfair competition as any action or omission that, by improper means, objectively may affect one's competitive position or the proper functioning of the competitive process (article 9).

The legal text encourages to stop acts of unfair competition whenever they are carried out in the market and for competitive purposes (article 4).

Also, the Decree prohibits acts of unfair competition, in whatever form it takes or the means through which is carried out and the market in which it might take place, not being necessary to prove actual o potential damage (article 8).

In particular, article 10 through its subsections, identifies which acts are considered unfair competition. Some of them are: acts of deception, confusion, improper exploitation of the reputation of others and, those of unfair imitation. The acts of deception (subsec. a) are those that mislead consumers about the existence or nature, mode of manufacture or distribution, main characteristics, purity, mixture, fitness for use, quality, quantity, price, conditions of sale or purchase, availability, or results that they can be expected from their use and, in general, about the attributes, benefits or conditions that correspond to the goods and services. While the acts of confusion (subsec. b) are those that mislead regarding the business origin of the activity, the establishment, goods or services, in such a way that they are considered to have a different origin than the real one. The improper exploitation of the reputation of others (subsec. g) consists in carrying out acts that improperly take advantage of the image, credit, fame, prestige or business or professional reputation that corresponds to other, inducing to confuse their own goods, services, activities, distinctive signs or establishments with those of another. Finally, an act of unfair imitation (of goods, services or business initiatives) will be configured when it is suitable to generate confusion regarding the origin of the goods or services or involves an improper use of the reputation or effort of others (subsec. h).

In addition, the unfair competition regulation has a special provision for appellations of origin. So, its article 23 prohibits the use a any IGO (national or foreign) to identify a good or service when it does not come from the respective area.

Model Law

A new model Law should be realeased, taking into consideration previous model laws.

Not only the one for developing countries by WIPO (Publication 809) but also the one under WTO scope.

In this case, a legal text based on the Uniform Domain Name Dispute Resolution Policy –UDRP– by the Internet Corporation for Assigned Names and Numbers –ICANN–, should be prefered, because it makes it simple for its application.

Conclusions

Conflicts around IGO are not new, even in the international scope (i.e. WTO DS174 and DS 290).

Although, as PI enforcement is an ex-post activity, balancing is a key issue. If not present, granted rights would turn into entry barriers, almost impossible to avoid. And that, affects competition and market access.

That is why legal operators and authorities, should act and decide based on the provisions of article 10 bis of the Paris Convention (1883) wich establshes which anchores in the fiction of an avarage consumer.

GI AS STRATEGIC INSTRUMENT TOWARDS RESILIENCE

Dirk Troskie[1]

Abstract – The Western Cape Department of Agriculture (WCDoA) is of the opinion that farming, as we know it, will fundamentally be disrupted within the foreseeable future (30 years). For this reason three reports (one general and the other two focussing on specific areas) were commissioned to investigate the drivers of disruption, develop a range of future scenarios and to identify plausible interventions to reach private and public objectives. Although none of the research teams came from Geographical Indication (GI) background, all reached the same conclusion: the principles underpinning a GI, and therefore the geographical and historical context, should be used as a marketing and product differentiation mechanism to be sustainable in this new environment.

Keywords **– Rural development, Re-imagining farming, futures thinking.**

INTRODUCTION

Very few will dispute that the Covid-19 Pandemic was one of the most disruptive events in the memory of most people. Other would argue that, in addition to its own disruptive characteristics, the Pandemic was also the catalyst accelerating and amplifying the emergence and impact of a range of other disruptors. These include events such as Climate Change, Biodiversity Loss, Food Insecurity, Fourth Industrial Revolution (4th IR) as well as global demographic and economic changes.

In this paper the process followed towards analysing the forces shaping the long term disruptors will be described following by main findings and conclusions. In the final part a brief discussion on the way forward will be provided.

PROCESS

In order to identify the vestiges of a long-term (up to 2050) post Covid-19 Strategy for the Agricultural and Agri Processing Sector of the Province, the Western Cape Department of Agriculture (WCDoA) engaged on three futures projects. The first was a generalised approach encompassing the whole (Hichert, 2020), whilst the second focussed specifically on the arid areas of the Province (Farrell, 2021). The third project focussed on a high-rainfall and agricultural homogenous coastal area well known as a semigration destination attracting knowledge workers and retirees (Louw, 2022).

The reason for a separate project focussing on arid areas is that the particular circumstances of sparsely inhabited marginal arid areas often disappear at the prospects of the higher populated and more prosperous farming regions. In the case of the third report the economy of the Greater Keurbooms region is one of only two rural areas in the Province where tourism and services, rather than farming, are the dominant economic activities. Furthermore, a process of 're-wilding' through which a conservancy is foreseen where farming and conservation areas are interlinked through a system of corridors.

Although these projects were conducted by three different research teams, the teams used similar approaches. These included an analysis to identify the driving forces which will shape the future of farming, the interactive development of future scenarios, the use of the three horizons framework (in the case of Farrel, 2021 and Hichert, 2020) and the development of a causality argument(s) to underpin positive interventions. The three horizons framework is a conceptual model to assist individual's thinking about current assumptions, emerging changes as well as possible and desired futures. More important, it allows for the identification of the current seeds of the future which should be stimulated as part of causal relationships.

FINDING AND CONCLUSION

The main findings from these three reports were complementary and, although none of the research teams was familiar with the principles of Geographical Indications (GI), some relevant recommendations emerged spontaneously. These include:

a) Collectively harness local identities by drawing out the attributes of the geographical areas which are most compelling to the different target markets. These elements should include geological, cultural, ecological significance and sense of space. Specific reference was made to strengthening the development of the 'Karoo Lamb' GI.
b) Anticipatory and enabling governance leading to ethical, sustainable and resilient farming practices. This is not only relevant for institutions, but also in terms of assurance and regulatory systems. Specific reference to the use of 4th IR technologies, including blockchains, were made.
c) Engage on the continental (Africa) level as part of the strategy to harmonise the regulatory environment and for market placement of export focussed products. In the case of GI, the chal-

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lenges associated with cross border GI, institutional arrangements regarding mutual recognition and labelling should receive priority.

THE WAY FORWARD

In response to these recommendations, the WCDoA is currently in the process of supporting a range of local groups to develop and register their own GI. These include 'Karoo Granate', 'Matzikamma Rosyne', 'Buchu Tea' and 'Aloe Ferox'. On 31 May 2021 'Rooibos' / 'Red Bush' received the honour to be the first product from Africa awarded the coveted status of 'PDO' in the European Union's (EU) Register of Geographical Indications (GI). This was the culmination of a long and complicated process driven by multiple role players.

In addition to focussing on harnessing various GI, these reports will also be fed into the 'Joint District and Metro Approach' (JDMA). South Africa's Constitution makes provision for three spheres of government (National, Provincial and Local) and coordination between these remains a major challenge. For this reason the JDMA process envisages greater coordination and the WCDoA commissioned these reports to provide strategic direction in the rural areas of the Province.

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The international trade impacts of Geographical Indications: hype or hope?

Fabrizio De Filippis [1], Mara Giua [1], Luca Salvatici [1], Cristina Vaquero-Piñeiro [2]

Abstract **– The European Geographical Indication quality scheme is supposed to enhance local expertise and support spatially-embedded products in being competitive around the world. Among the effects generated by GIs, the one on trade is still controversial. In general, the impact of GIs in terms of international trade seems to be positive, but a full consensus is still missing. Examining the existing literature, this paper attempts to identify and summarise the results' heterogeneity using a meta-analysis approach. Results confirm a positive effect of GIs on trade, even after controlling for the effects of various characteristics of the studies, the methodology adopted and for publication impacts.**

Keywords **– geographical indications, trade agreements, trade flow, meta-analysis**

Introduction and literature

The Geographical Indication (GI) quality scheme by definition, represents a guarantee of the uniqueness of a product embedded in the environmental characteristics and cultural know-how of a given region (Vaquero-Piñeiro, 2021; World Trade Organization (WTO), 1994). During the Uruguay Round, with the 1995 multilateral TRIPs Agreement, GIs were introduced for the first time into international trade treaties by setting the minimum standards that every WTO Member States must respect.). Since then, this form of certification has attracted attention across the world, and several countries have used bilateral agreements to protect their agricultural products and foodstuff. Nowadays more than 200 bilateral and multilateral World Intellectual Property Organization (WIPO) and World Trade Organization (WTO) agreements include GI regulations. GIs are assumed as a non-tariff measure related to intellectual property rights in trade (UNCTAD, 2019; Saavedra-Rivano, 2012; Chambolle and Giraud-Heraud, 2005). At the national level, countries adopt different approaches to protect Gis, with EU accounting for the most articulated and comprehensive *sui generis* scheme.

Becoming a GI could provide competitive benefits for agri-food products in both domestic and global markets (Raimondi et al., 2020). Literature on whether and to what extent obtaining GI certification increases trade and territorial openness is quite controversial, with some studies finding large positive effects, other insignificant and yet other even negative effects. A consensus on the real effects of GIs on international advantages is far from being reached (Chilla et al., 2020). Examining existing results provided by the literature, this paper attempts to explain such heterogeneity through a meta-analytic approach, which allows to integrate and summarize all comparable estimates and quantify their average effect (Stanley and Doucouliagos, 2019).

Research design and methodology

We collected English-language published and unpublished papers studies explicitly focusing on GIs from online databases for academic articles by using a set of ad hoc keywords related to GIs and international competitiveness. In addition to peer-reviewed papers, we review cross-references and cross-cited papers, national and international reports, working papers and conference contributions. Our final sample is composed of 15 quantitative studies providing 512 point estimates measuring the strength of the GIs-trade relationship (all selected articles include more than one observation). The meta regression model (1), known also as 'Egger test', provides the Funnel asymmetry test – FAT (H1: $\beta 1 \neq 0$) for detecting asymmetries in the results, which could be a hint of publication impact (Egger et al., 1997): in the absence of publication impact, the magnitude of the reported effect will vary randomly around the "true" value, independently of its standard error, and $\beta 1$ will be equal to zero. In addition, with the Precision effect test - PET (H1: $\beta 0 \neq 0$), model (1) verifies whether there is a genuine empirical effect remaining after potential publication selection and $\beta 0$ may be considered an ideal average of the estimations of the effect.

Since papers investigates the international effects of GIs in terms of different trade measures To obtain comparable estimates, we standardized the effect sizes by calculating the partial correlation coefficient (PCC). At the same time, to guarantee comparability between studies using dummies and continuous numerical variables to account for GIs, we considered two separate sub-samples (Cipollina and Salvatici, 2010). Lastly, in order to deal with potential bias due to other differences of the estimations analysed we use precision-effect estimate with standard error- PEESE.

As a second step, we attempt to determine the drivers of the heterogeneous impacts of GIs on trade by adding a set of explanatory variables that filters out potential biases and explain the systematic variation across the observation i of the paper j.

Results and conclusions

Our study confirms that GIs lead an overall increase in intra and extra EU trade. Higher impacts are estimated by papers capturing only the GIs status (using 'eligibility' dummies) instead of considering more detailed measure of GIs through continuous variables (e.g. the precise number of GIs in a certain area). Impact estimates tend to be higher also in the case of studies analyzing the wine sector or the PGI productions. In the same direction go

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those estimates coming from simple cross-section analyses, able to control for less observable variation than more sophisticated models (e.g. panel, IV). Shortcomings in data accuracy and econometric approaches bring about additional sources of estimation bias. The PEESE MRA model allows us to obtain a better estimate of the size of the genuine effect corrected for asymmetry. Although our main contribution is methodological and it can be summarised as a systematic explanation of the literature, this paper sheds new light on the fact that GIs, thanks to the endorsement of local forms of production and embedded characteristics on a global scale, represent a relevant policy tool for the internationalisation of agricultural products as well as for the territorial openness of their region of origin.
All in all our results support the literature according to which GIs, represent a relevant policy tool for agri-food productions when competing in global markets since the GIs scheme promote international trade and territorial openness. From a policy perspective, this paper provides evidence that policy makers should invest more in protecting local embedded agri-food productions, especially in specific cases as wine growing. In fact, with limited resources (the GIs scheme does not absorb a significant share of any heading of the EU budget) the EU is allowing its rural areas to be part of the globalization by being local: the GIs scheme allows local productions to be unique and not substitutable by correspondent standardized and space-blind productions that dominate global flows.

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From local to global, and return: Geographical Indications, FDI and the internationalisation of rural areas in Europe

Riccardo Crescenzi [1], Fabrizio De Filippis [2], Mara Giua [2], Luca Salvatici [2], Cristina Vaquero-Piñeiro [3]

Abstract — Do Geographical Indications (GIs) convert regions of origin into attractive destinations for agribusiness related FDI? Using a novel panel dataset, this paper applies state-of-the-art policy evaluation methods to estimate the impact of GIs in attracting agri-food related FDI towards European areas over the 2003-2019 period. Results show that areas capable of developing space-sensitive models of production actively endorsed by a formal institutional regime (the EU GI scheme) are more likely to attract FDI than their counterparts. GIs are particularly effective in attracting FDI in rural areas, where investiment attraction is particularly needed, and from inside the EU, where regulatory asymmetry is lower.

Keywords **-** Foreign Direct Investments, Geographical Indications, agri-food, internationalization

INTRODUCTION AND LITERATURE

been changing the role and the nature of rural areas. Although agriculture is still one of the main sector in rural economy, diversified activities have highlighted rural areas as places of opportunities beyond only agriculture. The competetivness of rural areas is highly depend on their capacity to preserve intangibles peculiarities and convert them in drivers of sustainable long-term development, due to their impossibility of being replicated elsewhere (European Commission, 2021a). Cultural, historical and traditional know-how are crucial in this process. The growing international competition has increased the incentive of preserving local expertise and history to avoid that one-of-a-kind local products will be crushed by industrialized global competitors (Raimondi et al., 2020). Geographical Indications (GIs) offer a unifying framework and a legal basis for this process (FAO, 2021).

GIs are considered as a win-win policy for farmers, consumers and local actors. Reading through the policy and academic literature points to relatively well-identified a unique set of socio-economic benefits of GIs not only for farms' performance and premium pricing (Huysmans and Swinnen, 2019), but also for rural development (Crescenzi et al., 2021) and socio-economic and environmental sustainability (Vandecandelaere et al., 2018). At the global level, GIs guarantee product tracing, authenticity and differentiation, allowing traditional modes of production to persist amid food standardisation (UNCTAD, 2019). As stated by Crescenzi et al. (2021), GIs are, in fact, a unique case of informal institutions that are thereafter translated into a globally recognized formal regulation. GIs can have therefore relevant implications for territorial internalization, but with some relevant exceptions (Huysman, 2020; Raimondi et al., 2020), but to date the subject has thus far mainly been investigated through studies focusing on national trade flows (e.g, Curzi and Huysmans, 2021) and there is scarce evidence in the literature on the effects of GIs on the internationalization of local areas. Even less is known about the channel through which GIs can spur territorial openness at the local level. In this context, this paper contributes by evaluating the role of GIs in attracting Foreign Direct Investment (FDI) at the territorial level. The hypothesis tested is whether areas capable of developing space-sensitive models of production actively endorsed by a formal institutional regime (the EU GI scheme), eventually experience better performance in terms of territorial openness (FDI attraction) than others. FDI is a central component of territorial openness being international transfers of capital through which a firm based in one country controls the ownership of economic activity in another country, becoming a "local firm". Europe is one of the primary destinations for FDI in both agricultural and agri-food sectors (EC, 2020). The investment effort in areas acknowledge with GIs can be explained by three main reasons: (1) the opportunity of of entering new markets which can be reached only investing in GIs' region of origin, (2) the socio-cultural benefit generated by the embedded specific expertise of which GIs are a guarantee, (3) spill-over economic opportunities beyond the specific production (i.e., tourism).

RESEARCH DESIGN AND METHODOLOGY

To address the research questions, we adopt an integrated framework, which systematically links local assets and socio-cultural features with global connectivity, and apply state-of-the-art policy evaluation methods.

The analysis is conducted at the NUTS3 level over the 2003-2019 period. The sample accounts for a balanced panel of 1,114 NUTS3 observed for the longest available period, from 2003 (the starting year of FDI data collection) to 2019 (the most recent year with both complete Eurostat and FDI data). Operationally, we use Generalised Propensity Score (GPS) to compare the FDI dynamics of EU NUTS3 acknowledged with a different number of GIs. The analysis is developed at the NUTS3 level, which is the most disaggregated level available to have a representative spatial distribution of FDI. As stated by Crescenzi et al. (2021), given the rule of assignment of GIs using the most disaggregated data is crucial since the so-called region of origin refers to an area often significantly smaller than regions or countries.

We focus on European countries, where the GIs quality scheme has born, and on agri-related FDI,

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which refers to the agribusiness oriented sectors that might have been affected by GIs.

Regarding data, this paper leverages a newly-developed dataset that reconstructs the time-space variability of all EU GIs at the territorial level.

Information on GIs has been collected from the individual codes of practice of each GI (source: eAmbrosia website, European Commission). The database was completed by a set of contextual information on socio-economic environmental conditions of each LAU mainly obtained from Eurostat Regional Structure Business Statistics (EUROSTAT) and spatial data managed by Geographical Information Systems. Data on FDI comes from the fDi Markets-Financial Times databases, which have been geo-localised starting from the information on the area where each investment project is located available. Regarding the treatment, given that the majority of NUTS3 has had at least 1 GI since 2003, we use a continuous treatment variable defined as the average number of GIs of the NUTS3 LAUs weighted by the number of LAUs belonging to the NUTS3. In a such setting composed of continuous outcomes and multivalued treatments, the GPS helps to control for possible sources of self-selection and endogeneity bias as well as to isolate the impact of GIs from other observable cofounding comparing units that are similar in their observable determinants of "treatment intensity" (Hirano and Imbens, 2004). After estimating the GPS by regressing our measure of GI treatment on a set of observable characteristics, we estimate the dose-response function assessing whether there is a causal link between GIs and FDI. FDI is captured with different measures: (i) the absolute value of agribusiness related FDI ($ millions), (ii) its share on the Gross Value Added (GVA) and (iii) the share of agribusiness related FDI on all industries FDI. As new job opportunities are also often associated with FDI, we estimate the effect of GIs also on (i) the jobs directly created by the new Agribusiness related FDI project weighted by the GVA and (ii) the total number of jobs created by FDI in all industries.

Results and conclusions

Results show that, overall, GIs have positive impacts on FDI: GIs allow local economic systems characterized by spatially-embedded productions to attract more agri-business oriented FDI and to generate new job opportunities. This is particularly true for rural areas. The acknowledgement of a formal status to productions that are the expression of historical know-how and high-quality reputation generates systematic links transforming socio-cultural assets, natural and human peculiarities as well as local expertise into global connectivity also in the case of those sectors (agri-food) and areas (rural) where investors' operational bottlenecks are more widespread. This finding is particularly relevant, given that the majority of GIs are produced in rural areas and that rural areas, on average, are characterized by lower level of FDI attraction and global connectivity after the 2008 economic crisis. With regard to employment opportunities, the effect of GIs become significant only when we look at the entire agri-food related activities. Results suggest that the share of new jobs created by FDI in agri-food related activities seems to increase more in areas particularly specialized in GI productions than in other areas. The effects are indeed strongest for high-specialised GIs areas.

Thanks to foreign investments, the positive dynamics that GIs activate may support rural economies by avoiding the degradation of the primary sector, and, at the same time, promoting an inter-sectorial reorganisation towards diversified activities. Embedded expertise and territorial specialisation become the core drivers of local spill-overs enhancing the development of the entire economy.

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Le régime des IG pour les productions industrielles et artisanales : De l'ancrage territorial à l'économie circulaire

Nicolas Lacombe, Caroline Tafani

Cette article vise à proposer un cadre d'analyse propre aux indications géographiques pour les produits industriels et artisanaux. Régime en voie de développement, nous en précisons certains traits afin d'apprécier l'ancrage territorial des créations artisanales. En prenant le cas de la coutellerie corse, il s'agit d'évaluer les modalités de construction du lien au lieu. Conjointement nous nous intéressons aux enjeux liés à l'économie circulaire, dans la mesure où la coutellerie fait usage des cornes issues des élevages, considérées comme des sous-produits de l'élevage. D'un point de vue théorique, cette proposition vise à établir des articulations possibles entre la géographie économique s'intéressant à la qualité, et l'écologie industrielle se référant à la circularité.

Keywords **– Artisanat, ancrage territorial, économie circulaire**

Introduction

Le régime des indications géographiques, initialement réservé au produits agricoles, a été étendu aux produits industriels et artisanaux en 2015 (IG PIA). Si de nombreux travaux de recherche ont permis d'éclairer les relations entre la qualité d'un produit et un lieu de production spécifique dans le cas des productions agroalimentaires (Bérard et Marchenay 2004), ces interactions restent peu traitées dans le cas de l'artisanat. Dans le cas de productions agroalimentaires telles que les fromages, on comprend aisément cette appréciation en raison d'une articulation à des composantes biologiques (race), à des pratiques (pastorales) ou au caractère spécifique d'un milieu (méditerranéen). Dès lors qu'est ce qui fonde la qualité d'une création artisanale au travers de son lien au territoire ? Je me suis appuyé sur le cas de la coutellerie en Corse, qui au même titre que la coutellerie de Laguiole et de Thiers, délimite les contours d'une future appellation.

Cette question s'articule à un second axe de travail proposé dans ce texte, sur la question de la valorisation des sous-produits animaux. En effet la coutellerie illustre un cas d'étude où les processus de construction du lien au lieu s'établissent au regard de l'usage des cornes issues des élevages ovins et caprins. Peut-on ainsi établir une convergence entre l'« économie des qualités » dans le cas de l'artisanat, et les questions relatives à l'économie circulaire (Aurez et Georgeault 2019) ? Ce champ de recherche, qui se consolide progressivement dans le cas de l'agriculture et de l'élevage, mérite d'être explicité dans ces différentes acceptions. Je me réfère ici à l'une des composantes, celle de la valorisation des sous-produits animaux, partie intégrante de la stratégie scientifique de l'Inrae à l'Horizon 2030. Ainsi, l'emploi des cornes issues des élevages insulaires dans le secteur de la coutellerie peut-il être envisagé comme modèle de complémentarité entre activités fondée sur l'usage, le réemploi de « déchets » issus de l'élevage.

Méthodologie

Afin de réaliser ce travail, j'ai mis en perspective le régime des IG appliqué au productions agro-alimentaires avec celui mis en œuvre dans le cas des IG PIA. Cela m'a permis d'apprécier, au travers d'un travail d'enquête mené auprès des couteliers, les critères qui fondent le lien à l'origine dans le cas de l'artisanat. Je m'appuie notamment pour cela sur les notions de « typicité » et de « profondeur historique » qui constituent des critères essentiels d'appréciation d'une « qualité géographique ». Sur le plan de l'économie circulaire, une modélisation des flux d'énergie et de matière entre éleveurs et couteliers a permis de caractériser cet écosystème productif du point de vue de l'écologie industrielle et territoriale. L'enjeu est notamment de comprendre ce qui peut s'apparenter à une « symbiose industrielle » dans le cas des activités rurales et agricoles, permettant d'élargir une approche jusqu'ici réservées aux éco-parcs industriels.

Résultats

1.Ancrage territorial et coutellerie

1.1. Typicité et lien au terroir dans le cas de la coutellerie

Plusieurs bassins de production disposent aujourd'hui d'un régime d'IG pour leur production artisanale (Siège de Liffol, Tapisserie d'Aubusson-Felletin, etc.). Pour autant la coutellerie corse présente une particularité par rapport à ces appellations. Elles se réfèrent généralement à une tradition inscrite dans un lieu, établie selon un savoir-faire faire spécifique (ex : tissage), plus qu'à la référence à un matériau. Par ailleurs, la provenance des matières premières est généralement indifférenciée alors qu'ici nous verrons que la proximité est aussi un critère de qualification, participant à la construction de la spécificité (Colletis et Pecqueur 2005). A titre d'exemple la Tapisserie d'Aubusson ne véhicule pas d'exigences particulières quant à la provenance des laines, principalement issues des troupeaux mérinos d'Australie et de Nouvelle-Zélande. Dans le cas de la coutellerie, le travail de forge est l'un des principaux éléments de qualification des créations sans pour autant que les

aciers ne soient associés à une provenance spécifique. La réalisation des manches véhicule une réalité toute autre. Les matériaux les plus utilisés dans la coutellerie corse sont le bois et la corne si l'on se réfère à la coutellerie traditionnelle. Dans le cas de la réalisation de pièces dites de création, le recours à certains types de matériaux rares tels que les molaires de mammouth, l'ornementation sont introduits. Deux logiques cohabitent, celle de l'achat de matière première auprès de grossistes spécialisés, et l'approvisionnement local.

1.2. La construction sociale de l'ancrage

La coutellerie corse s'inscrit dans une trajectoire historique spécifique nous permettant d'apprécier son ancrage historique (Barjolle, Thévenot-Mottet 2004). Depuis les années 60 on a assisté à une réappropriation de ce métier durant le Riacquistu, progressivement substitué par une logique industrielle. En effet la popularisation de la « vendetta » dans différents récits romancés a donné naissance au couteau du même nom, qui a connu un développement sans précédent avec l'émergence du tourisme. Le bassin de Thiers a intégré ce type, comme celui de Laguiole, dans son bassin de production, et cette industrialisation s'est poursuivie en Chine et au Pakistan où sont aujourd'hui réalisées la majorité des pièces, revendues dans les échoppes touristiques du littoral. En réponse à ce que l'on qualifie de contrefaçons, la réhabilitation de la coutellerie traditionnelle s'est construite au travers d'un travail de mémoire. Cela a permis de restaurer des fabrications oubliées, au premier rang desquelles le *Cornicciolu*, couteau de travail autrefois réalisé par les bergers à partir des matières de récupération, dont les cornes. Aujourd'hui les couteliers font appel à cette filiation pastorale de l'activité qui leur permet de s'appuyer sur une histoire partagée à celle de l'élevage. La Charte de qualité adoptée par le syndicat prévoit notamment les prescriptions visant à encourager l'usages des cornes issues des élevages insulaires.

2. Vers une économie circulaire de l'élevage

2.1. Les sous-produits d'origine animale

Les sous-produits de l'élevage font aujourd'hui l'objet d'une attention nouvelle au vu des enjeux liés à l'économie circulaire. Ils apparaissent pourtant marginalisés contrairement à ceux issus des productions végétales. Si le cas de la méthanisation est sans doute le plus médiatisé dans le secteur de l'énergie, les sous-produits sont aussi à la source de la fabrication de créations d'excellence associées à l'industrie du luxe. Laines, cuirs, cornes appartiennent à cette catégorie et peuvent faire l'objet d'un développement dans le cadre des IG PIA. Actuellement le traitement local des cornes s'apparente principalement à un déchet dans la mesure où, étant issus des « animaux dits de réforme », elles sont vouées à l'incinération. C'est notamment ce qui justifie l'importation des pièces issues de filières d'importation à défaut de filière locale d'approvisionnement. Les réseaux d'approvisonnement fonctionnent généralement de manière informelle sur la base d'interconnaissances entre éleveurs et couteliers. Pour autant dans une perspective de labellisation, la cohabitation de ces deux modèles peut poser question. Par ailleurs, l'économie circulaire n'a de sens que si elle participe à la valorisation de ressources locales, ce qui appelle à repenser cet écosystème productif dans le sens de nouvelles proximités (Niang et al. 2020).

2.2. Ecologie industrielle et territoriale

Je me réfère pour cela aux apports de l'écologie industrielle. Cette discipline a émergé en se référant à des situations telles que celles que la ville de Kalundborg au Danemark, cas où les recherches ont conduit à mettre en exergue les processus de valorisation de résidus de production par d'autres industries, que l'on qualifie de symbiose industrielle (Diemer, 2016). Aujourd'hui il s'agit d'en proposer des formes de transposition au monde agricole et rural selon les principes de l'écologie territoriale. La concrétisation d'un approvisionnement local suppose de dépasser un certain nombre de verrous technologiques et organisationnels. De nouveaux dispositifs de gouvernance sont à encourager de manière à renforcer les liens entre élevage et artisanat. En effet dans les systèmes laitiers sectoriels, l'ensemble des configurations organisationnelles sont conçues autour de la valorisation fromagère. Les sous-produits en sont écartés ce qui suppose d'adopter de nouveaux régimes de coopération sur la base de nouvelles formes de proximités intersectorielles. Intégrer cette logique suppose également de repositionner le rôle joué par les abattoirs, dont l'activité reste essentiellement tournée vers la valorisation des viandes et ne disposent pas d'équipements agrées permettant de traiter les sous-produits animaux.

Discussion

Ce travail permet de resituer la notion de terroir au regard des enjeux de circularité. En effet, les territoires d'appellation semblent avoir laissé place à une spécialisation des élevages, alors que la définition même du terroir véhicule la coexistence de plusieurs activités. Le modèle qui s'appuie sur les sous-produits animaux peut fournir un cadre d'analyse opérant afin de territorialiser l'économie circulaire dans le cas de l'élevage. Les enjeux de relocalisation de l'économie productive et ceux liés à l'autonomie convergent vers cette intégration- combinaison d'activités au sein des territoires.

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PRODUCT CLASSIFICATION SYSTEM FOR THE PROTECTION OF GEOGRAPHICAL INDICATIONS

Miranda Risang Ayu Palar[1]

Abstract

Until present, there is no single classification system regarding Geographical Indications worldwide. Differently, there are Nice Agreement concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks, Strasbourg Agreement concerning the International Patent Classification, and Locarno Agreement establishing an International Classification for Industrial Designs.

This paper would explore and discuss about whether a special classification system for Geographical Indications is necessary. Qualitative data would be obtained by online research. Legal methods, especially descriptive analysis and comparison study would be used to explain and analyze the data and comprehend the topic.

This paper argues that classification system of products for Geographical Indications is worth to be considered to make the protection of Geographical Indications less debatable, simpler, and able to reach various types of products.

Keywords: classification, product, geographical indication.

INTRODUCTION

Until present, there is no single classification system regarding Geographical Indications (GIs) worldwide. Differently, international Intellectual Property (IP) protection systems have special agreements establishing single classification systems for other IP regimes, those are: Nice Agreement concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Agreement), Locarno Agreement establishing an International Classification for Industrial Design (Locarno Agreemet), Strasbourg Agreement concerning International Patent Classifcation (Strasbourg Agreement).

On the 15th of April 1994, when WTO-TRIPs Agreement was signed and introduced GIs as one of IP regimes to the world, several outstanding issues were still highlighted in the TRIPs built-in agenda for further negotiation. One of them was whether the extension of GIs' additional protection for wines and spirits in article 23 of TRIPs, also known as the GIs' second level protection, could be extended to other products. Until present, TRIPs' article regarding the GIs' second level protection for wines and spirits has not been amended. However, various countries, whose primary products are not wines and spirits, have made the extension available in their national laws. This initiative does not jeopardize their full compliance to TRIPs Agreement because article 22.2 of the agreement gives a flexibility for member countries to establish their own legal means regarding GIs protection system, as long as all GIs provisions in TRIPs are accommodated as a minimum standard protection.

In other countries, the variation of products that have successfully gained GI protection also significantly increases. Recently, other than agricultural products and foodstuffs, GI regime also protects herbal products, non-eatable agricultural products, non-agricultural products including clothes and handicrafts, industrial products, wild products, organic products, mountain products and aquatic products, in the same as well as different level of protections.

In practice, considering the growing variation of Gis products, the question is, does GIs system also need a specific classification system like trademarks, industrial design, and patent?

IP CLASSIFICATIONS IN OTHER IP REGIMES

NICE AGREEMENT

Nice Agreement is an international agreement on the classification of goods and services for the purposes of registration of marks. This agreement was concluded on 15 June 1957, revised at Stockholm in 1967 and Geneva in 1977, and regularly updated every 5 years.

Until present, the latest version of Nice Agreement divides marks into 45 classes. These classes are furtherly divided into 34 classes of goods and 11 classes of services, of which each class has its own sub-classes.

LOCARNO AGREEMENT

This agreement was signed at Locarno on 8 October 1968 and amended on 28 September 1979. Locarno Agreement establishes the classification system for industrial design.

Locarno Agreement provides 32 classifications for various registered industrial designs. Each classification has its own sub classes. Similarly with Nice system, a design should have been classified according to the Locarno classification system before the application is submitted to the registrar.

STRASBOURG AGREEMENT

Strasbourg Agreement is an agreement about international patent classification. This agreement was concluded on 24 March 1971 and amended on the same date with Locarno Agreement, on 28 September 1979. Patent classification consists of 8 general classes and sub classes.

DISCUSSION

Nice, Locarno and Strasbourg Agreements share the same natures and objectives. *Firstly*, the classification systems are solely of an administrative character. Non of them are used to pass the substantive examination about distinctiveness on trademarks, newness on industrial designs, or novelty on patents. *Secondly*, each member of the agreements can use the classification as a principal

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or subsidiary system. *Thirdly,* the usage of the classifications by national offices simplifies the application procedures to a single classification system of each regime, internationally. *Fourthly,* although the classifications are administrative, they limit the substantive examinations of trademarks, industrial designs, and patents to be conducted in the relevant class only.

In regard to GI, Geneva Act of the Lisbon Agreement (Lisbon system) allows the international registration of GI in addition to Appellations of Origin (AO). However, it does not regulate GI's classification system.

In light of the functions of classifications in other IP regimes, classification in GI regime is worth to be considered, because the variety of the GI protected products have been increasing. Furthermore, particular GI requirement may be applicable for certain type of products but not for all products. For example, strong natural factor is a requirement for agricultural product but not for handicrafts. For herbal product, a high degree of safety requirement may be important, but it is not the case for other products. GI classification that enables a specific substantial examination to be conducted between products in the same class only, would solve this problem.

POSSIBLE CLASSES IN GI PROTECTION SYSTEM

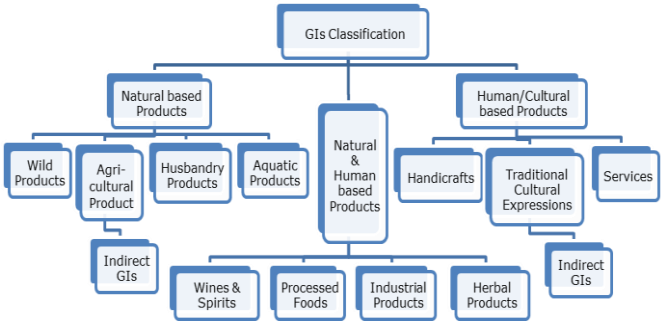
GIs protections in TRIPs and Lisbon systems denote that the protections are available for goods. However, several countries have expanded the scope to include products. It means that in theory, services, albeit no service has been protected as GI, is possible to be protected as a particular class of GI objects.

European Union probably has the most diverse classification of GIs products, that includes: wines, aromatized wines, agricultural products and foodstuffs, spirits, fresh meats, meat products (cooked, salted, smoked, etc.), cheeses, other products of animal origin (eggs, honey, various dairy products except butter, etc.), oils and fats (butter, margarine, etc.), fruits, vegetables, cereals fresh or processed, fresh fish including mollusks and crustaceans and products derived therefrom, beer, chocolate and derived products, bread, pastry, cakes, confectionary, biscuits and other baker's wares, beverages made from plant extracts, pasta, salt, natural gums and resins, mustard paste, hay, essential oils, cork, cochineal, flowers and ornamental plants, cotton, wool, wicker, scutched flax, leather, fur, and feather.

Since India protected Basmati Rice as a GI (Bansal, 2021), indirect GIs has become an issue, because 'Basmati' is not a name of a geographical origin, but a traditional name of a rice from a specific borderline area between India and Pakistan named Haryana. Yet, India recently is also known as a country with handicrafts as GI majority products.

In Southeast Asian countries, some countries use a simple classification for GI products consisting agricultural products, non-agricultural products, and handicrafts. However, each country has different details or sub classes. Singapore is a country in this region which has the most varied classification of GIs products: wines, spirits, beers, cheeses, meats, and meat products, seafoods, edible oils, fruits, vegetables, spices and condiments, confectioneries and baked goods, flowers and parts of flowers, and natural gums. Indonesia attemps GI protection for herbal and traditional medicines.

From varied existing classifications across countries, the GI classification can be formed as follows:



This proposed GI Classification can have similar functions with other classifications in IP: *firstly*, the classification system will solely be of administrative character. *Secondly*, the system will be used by the national competent authority in countries and is publicly available on the official publication of the countries. *Thirdly*, it will form a single classification system internationally. *Fourthly*, it will enable the substantive examination to be conducted within the relevant class independently. Fifthly, each class can have more details of sub classes if necessary, subject to a regular update.

In implementing the fourth function, specific additional requirement can be added. For example, strongest protection, in accordance with the additional protection in TRIPs Agreement, can be applied specifically for the class of wines and spirits. Environmental sustainability can also be added as an additional requirement for classes under the natural based products. The class of herbal products can have an additional health and safety standard requirement. The class of traditional cultural expressions can be furtherly derived into sub classes such as traditional fabrics and ethnic goods. Likewise, indirect GIs and services will have a future in GI protection system.

CONCLUDING REMARKS

A classification system for GI is worth to be considered. It will decrease the complexity of varied national legal means in conjuction with the divergence of potential protected objects. It will also make the international cooperation to administer the protection of GIs easier to implement.

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Animal Welfare Standards in the E.U. Official Geographical Indications

Alice Di Concetto[1]

Abstract – Geographical Indications under E.U. law guarantee "value-adding" attributes to consumers. While the regulation guarantees some of the inherent and external value-adding attributes of a product, such as its local origin and ingredients; it has largely neglected many other aspects related to the methods of production. One aspect that has become crucial to consumers is the treatment afforded of animals used in the making of a food product.
Keywords **– Animal welfare, consumer information, food labelling.**

INTRODUCTION

On its face, the body of rules governing geographical indications in European Union (E.U.) law only regulates claims that inform consumers on the geographical provenance of a product. Yet, the act governing these rules, the Quality Scheme Regulation[1] pertains to much more than just a "location-of-origin" food label. Rather, this regulation establishes a variety of standards related to the quality of food products, referred to in the act as "added value" or "value-adding attributes."[2]

The Quality Scheme Regulation qualifies these value-adding attributes from the dual perspective of tradition and sustainability, as opposed to less sustainable, industrial production methods. The Legislature thus sets general standards that the specifications of an official geographical indication should comply with, and leaving the details of these specifications for the producers to define. In doing so, the Quality Scheme Regulation pursue two goals: ensuring fair competition on the agricultural market and protecting consumers from misleading claims.

The Quality Scheme Regulation has, however, fallen short of ensuring high levels of consumer protection. While the regulation guarantees some of the inherent and external value-adding attributes of a product, such as its local origin and ingredients; it has largely neglected many other aspects related to the methods of production. One aspect that has become crucial to consumers is the treatment afforded of animals used in the making of a food product.

It is reasonable to think that quality schemes should include animal welfare standards that go beyond legal requirements given that consumers naturally associate high quality food standards with improved animal welfare. Yet, very few of the official geographical specifications – Protected Designation of Origin (PDO) and protected geographical indication (PGI) – contain animal welfare standards.

This omission potentially result in misleading consumers into buying products they likely consider to be more humane compared to non-certified products.

This contribution will therefore show the limited extent to which high levels of animal welfare is taken into account in EU official geographical indications and the issues this poses to consumer protection in the E.U. Lastly, this contribution will formulate recommendations for reform to inform the upcoming revision of the Quality Scheme Regulation.

DEFINING ANIMAL WELFARE IN E.U. LAW

E.U. law does not provide a definition of animal welfare, a concept born out of industrial animal agriculture[3] and which the animal advocacy movement has attempted to re-appropriate over the past 20 years. While the industry considers animal welfare standards primarily as standards aiming to mitigate the deleterious effects of industrial production methods on the physical and mental health of animals, animal advocates consider animal welfare standards as rules ensuring minimum level of protection to animals. In practice, both animal protection organizations and industrial animal agriculture agree that the welfare of animals should be guaranteed. In theory though, the industry takes animal welfare into consideration only to the extent that the welfare of animals contribute to increasing the profitability of their busines model – by achieving low mortality or higher food safety levels, for instance – while animal protection organizations pursue the implementation of high animal welfare standards for ethical reasons.

Animal welfare as a law and policy concept was developed in the late 1960's in Europe[4] around a framework that would later define acceptable farm animal welfare levels: the Five Freedoms. The Five Freedoms posit that animals should be "free from" hunger or thirst ; discomfort; pain, injury or disease; fear and distress; and "free to" express normal behaviour.[5] The E.U. Legislature later relied on the Five Freedoms to enact its farm animal welfare legislation between the late 1970s until the late 2000s.[6]

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[3] Jocelyne Porcher, Le « bien-être animal » existe-t-il ?, Economie Rurale (2005).
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[6] European Commision, "Animal Welfare," https://ec.europa.eu/food/animals/animal- welfare_en (visited on February 1st 2022).

From a legal perspective though, the Five Freedoms did not produce any prescriptive effects given theirh unspecific wording. For instance, the Five Freedoms never specify which acts of violence should be prohibited. As a result, E.U. farm animal welfare legislation only ensures farm animal welfare to a minimal level. E.U law still allows the use of cages, high density levels, mutilations, and long-distance transport. Furthermore, virtually all methods of slaughter are allowed under EU law, including those deemed to cause "unnecessary suffering" by the European Commission's own advisory agency.[7]

REGULATING FARM ANIMAL PROTECTION LEVELS THROUGH CONSUMER INFORMATION

Given the shortcomings of E.U. animal welfare laws and the difficulty of obtaining ambitious legislative reforms, animal advocates have turned to increased transparency in the production of animal source foods as a way to better inform consumers and incentivize producers to employ more humane farming methods. In that context, many organizations have focused their work on enacting specific food labels to inform consumers on the level of welfare afforded to farm animals, with limited results.[8] However, almost no European advocates, researchers, and policymakers identified the necessity to regulate misleading information being communicated to consumers regarding the welfare of farmed animals on food packages. Yet, similarly to greenwashing in the early 2000s, "humanewashing" has now become a common industry malpractice. But unlike greenwashing, such a malpractice is largely left unregulated by authorities. Even more concerning is the fact that some official food labels, such as the E.U. Geographical Indications, can contribute to delivering doubtful claims on the welfare of farmed animals.

MISLEADING INFORMATION ON FARM ANIMAL WELFARE AND E.U. GEOGRAPHICAL INDICATIONS

Improved Animal Welfare as a Characteristic of EU Food Quality Schemes

The E.U. Geographical Indications, which are the Protected Designation of Origin (PDO) and Protected Geographical Indication (PGI) labels, are regulated under Regulation 1151/2012 on Quality Schemes for Agricultural Products and Foodstuffs ("Quality Schemes Regulation").[9] The Quality Schemes Regulation has two specific objectives, which are to "[secure] return for farmers and producers for the qualities and characteristics of a given product […] and [provide] clear information on products with specific characteristics linked to geographical origin, thereby enabling consumers to make more informed purchasing choices."[10] Thus, EU Quality Schemes, and GI in particular, are not limited to informing consumers on the local origin of a product, but inform consumers on its qualities and characteristics of its mode of production. Among these characteristics is improved animal welfare, as the Quality Schemes Regulation further requires that "an agricultural product or foodstuff bearing such a geographical indication should meet certain conditions set out in specifications, such as specific requirements aimed at protecting the natural resources or landscape of the production area or *improving the welfare of farm animals*" (emphases added).[11]

A 2019 European Court of Justice (ECJ) case further bolsters the claim that animal welfare is an essential component of EU quality labels. In that case, the judges of the ECJ concluded that "the placing of the organic logo of the European Union [...] on products derived from animals which have been slaughtered [...] without first being stunned"[12] is not authorized. This decision is partly grounded on ensuring consumer confidence and protecting consumer interests, in making sure that products labeled organic "have actually been obtained in observance of the highest standards, in particular in the area of animal welfare."[13] This ruling thus confirms that animal welfare is an essential component of the method of production of foods that are labeled as quality products, and that engaging in practices that are adverse for the welfare of animals, although lawful, can be tantamount to misleading consumers when the meat deriving from those animals are labeled as quality products.

Because consumer confidence is instrumental in achieving the objectives of the EU Quality Food Schemes, the labeling of products under the Quality Schemes Regulation is "subject to the general rules laid down in Directive 2000/13/EC of the European Parliament […] relating to the labeling, presentation and advertising of foodstuffs, and *in particular the provisions aimed at preventing labeling that may* confuse or *mislead consumers*"(emphasis added).[14]

The animal welfare component in the method of production of quality labeled products is all the more crucial in a context where "52% of EU citizens look for an animal welfare friendly identifying labels when buying products." [15] The inclusion of animal welfare standards in EU quality schemes thus mitigates the risk that consumers use quality labels as a proxy for buying higher animal welfare products.

Animal Welfare Malpractices on Pigs Farm Supplying GI-Labeled Ham

Even though the E.U. Quality Schemes Regulation considers animal welfare as an attribute of Geo-

[7] Opinion of the Scientific Panel on Animal Health and Welfare related to the welfare aspects of the main systems of stunning and killing the main commercial species of animals, The EFSA Journal (2004); Opinion of the Scientific Panel on Animal Health and Welfare related to the welfare aspects of the main systems of stunning and killing applied to commercially farmed deer, goats, rabbits, ostriches, ducks, geese and quail, The EFSA Journal (2006).
[8] Alice Di Concetto, Food Labeling and Animal Welfare, European Institute for Animal Law & Policy (2021)
[9] Regulation 1151/2012 on quality schemes for agricultural products and foodstuffs, 2012 O.J. L 343/1-29.
[10] *Ibid.*, Recital 18.
[11] *Ibid.*, Recital 23.
[12] Case C–497/17, Œuvre d'Assistance aux Bêtes d'Abattoirs (OABA) v Ministre de l'Agriculture et de l'Alimentation, 26 February 2019.
[13] *Ibid.* Paragraph 51
[14] Article 2(1)(a), Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labeling, presentation and advertising of foodstuffs, 2000 O.J. L 109.
[15] European Commission, Special Eurobarometer 442, "Attitudes of European Towards Animal Welfare," p.4 (2015).

graphical Indications, investigations and official audits have revealed the gap existing between consumers' perception of the method of production, and the reality, which is that nothing in the law requires that quality labeled products must abide by high animal welfare standards.

- *Jambon de Bayonne* PGI

In 2018 and 2019, investigations reported mass-scale abuses on pigs used in the production of *Jambon de Bayonne* in the Tarn region of France. Reports by investigators revealed that the practices on farms benefitting from the *Jambon de Bayonne* PGI were similar to common practices on industrial farms: the use of gestation crates, high stocking densities , and mutilations were the norm.[16] Reports also recorded high mortality rates. In one case, the mortality rate exceeded average, and veterinary inspection services had to euthanize 11 animals.[17]
The specifications of the *Jambon de Bayonne* PGI do not contain any requirements in terms of animal welfare, and even require that all male pigs be castrated for the meat to benefit from the PGI.[18] Additional investigations reported that the castration of male piglets without anesthetic or the administration of analgesics was a common practice in the industry.[19]

- *Prosciutto di Parma* PDO

Similarly, a series of on-farm investigations conducted in Italy revealed the poor animal welfare conditions in which pigs used for Prosciutto di Parma PDO were kept, sometimes in violations with the Pigs Directive. Violations included stocking densities above maximum legal levels, the absence of enrichment materials in pens, and routine tail docking of pigs. The investigated farms were also in violations of sanitary standards, as investigators reported the presence of rodents in the animals' enclosures. Official audits carried out by the European Commission further substantiated the method of production employed on these farms were similar to industrial practices.[20]
The specifications of the *Prosciutto di Parma* PDO only contain vague animal welfare requirements, and merely impose that "the structure and facilities for the raising of animals must guarantee animal welfare" with no further details.[21] CSQA, the official certifier for *Prosciutto di Parma* PDO, is equally vague as to the animal welfare standards producers should comply with.[22]

REMEDIES TO ENSURE ALIGNMENT OF CONSUMERS' PERCEPTION WITH ANIMAL WELFARE STANDARDS IN E.U. GEOGRAPHICAL INDICATIONS

In 2020, the E.U. executive announced the revision of the Quality Schemes Regulation. Such a revision is an opportunity to ensure that E.U. geographical indications no longer contribute to humanewashing.

Inclusion of Animal Welfare Standards in EU Food Quality Schemes

As per the Recitals of the Quality Schemes Regulation and recent ECJ case law, animal welfare is a component of quality production. The Quality Schemes Regulation should thus explicitly require that specifications for IG labels must include animal welfare good practices with standards that go much beyond legal requirements.

More Robust Enforcement of Animal Welfare Standards

The official controls Regulation should include specific provisions for the inspections of farms where animals are raised for the production of IG products. Farms supplying IG-labeled products should further be subject to stricter controls regarding animal welfare especially when benefitting from agricultural subsidies. Possible sanctions could include the loss of the IG for a minimum period of time and until producers can demonstrate effective changes in the production method.

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Role of Industry Associations in the GI Value Chain: The Case of Xinhui Orange Peel

Jing LI, Ying LIU, Zuting CHEN[1]

***Abstract* – In China, GIs are expected to promote the integrated development of the primary, secondary and tertiary industries in rural areas. Industry associations are vital to the production, processing, operation, management, marketing and research of GIs. This paper attempts to establish a relation between industry association and value chain, employing the example of Xinhui Orange Peel which is produced in Xinhui district of the Jiangmen City, Guangdong province, China. As the product of the best quality and famous for its special production technique, Xinhui Orange Peel is protected as GI in Europe by the bilateral agreement between China and EU. Xinhui Orange Peel Association, as a leader to promote the industrialization of Peel process, is active in the development of scientific production of Xinhui Peel, promoting development of deep processing products and extending the industrial chain. This paper explores the function and role of Xinhui Orange Peel Association in protection and promotion of Xinhui Orange Peel, analyses the relationship between Peel Association and local government, and discusses the challenges and pitfalls in building the reputation of Xinhui Orange Peel around the world. The methodology of the paper is twofold: case study and empirical study. Finally, this paper offers some resolutions to the challenges mentioned.**

***Keywords* – Geographical indications; value chain; industry associations; Xinhui Orange Peel**

TEXT

As a community of stakeholders scattered in different nodes of the value chain, in order to ensure the dominant position of GI products in the market, industry associations assume corresponding responsibilities in different stages of supply, production and marketing.

In the supply stage, the industry association is responsible for the registration application of GI products. Prior to submission to the national audit process, the initial formal review is conducted by an officially authorized industry association within the country of origin of the product. Moreover, industry associations for the development and growth of products to develop a platform. Industry associations can combine the advantages of the products, the introduction of high-tech technology and the development of high-tech enterprises to achieve deep processing of products, so that the industrial chain is extended and the added value of products is improved. In addition, industry associations have a non-negligible role in guiding the intensive development of agricultural products and improving production efficiency and product quality.

In the production phase, industry associations have a monitoring and control function. Ensuring "product quality" and "authenticity of origin" are two important tasks of industry associations, which can also reflect the advantages of industry associations in participating in and extending the value chain.

In the sales stage, supervising the circulation of products, fighting against infringement of GI products, and participating in lawsuits to defend rights are the responsibilities of industry associations.

However, most of the work of China Agricultural Products Geographical Indication Industry Association is devoted to the application of Geographical Indication to the relevant departments. It neither manages the use of Geographical Indication in the region under its jurisdiction, nor supervises the production process of Geographical Indication agricultural products and formulates unified operation specifications, nor does it cooperate with the relevant government departments to do a good job in market research, quality supervision and related technical consulting services for agricultural products in the region. It can be said that in the management of geographical indications of agricultural products, the role of industry associations has not been fully played, making geographical indications of agricultural products in the market operation, production supervision and other aspects of product self-regulation and self-control, resulting in difficulties in ensuring the quality of products and brand development of the implementation of the war clusters. For the promotion of agricultural exports and to the international high-end market industry associations also did not play a due function.

Therefore, in this paper, our main objectives are to identify the role that industry associations play in the product value chain, to consider the challenges that industry associations face in improving the international reputation of their products, and to propose some relevant solutions.

Xinhui Orange Peel, as a product of the best quality and famous for its special production technique, is protected as GI in Europe by the bilateral agreement between China and EU. Xinhui Orange Peel Association, as a leader to promote the industrialization of Peel process, is active in the development of scientific production of Xinhui Peel, promoting development of deep processing products and extending the industrial chain. Given the typicality of

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Xinhui Orange Peel for China's geographical indications and the complexity of the problems faced by the association of Xinhui Orange Peel. In this paper, we will take Xinhui Chenpi as a case and understand the current development status and difficulties faced by the association of Xinhui Orange Peel by conducting field visits, taking evidence and interviewing the association's related personnel.

Through our research and field visit, we found that the problems faced by Xinhui Orange Peel in the value chain are as follows: the production method is too traditional and the scale of production is small; there are many varieties of further processed products, which makes it difficult to form the brand effect of the products; the sales are limited to the traditional sales area and cannot be expanded to a larger market; adulteration and counterfeiting are frequent and the inspection technology is not perfect, which damages the brand of Xinhui Orange Peel.

In response to specific problems, Xinhui Orange Peel Association should take the following measures: the association should take the lead and act as a liaison between the government and farmers to encourage the large-scale cultivation of Xinhui orange, while ensuring the existing Xinhui orange cultivation area, and continuously improving the scale of Xinhui mandarin operation; secondly, the association should listen to the opinions of experts and conduct extensive public opinion polls, so as to establish a more valuable and economically efficient as the representative of further processing products. The additional products should be "fine" and not "general". Once again, the industry association should take the lead in introducing a team of e-commerce talents to broaden sales channels and create a cultural brand of Xinhui Orange Peel, using the product to drive the development of tourism and other tertiary industries; finally, the industry association should set higher quality standards for product quality control, down to the collection method, weight standard, volume and size of the product and the circulation and preservation of the product, in addition to playing the role of the industry association to safeguard the rights of the product. In addition, the role of trade associations in the defence of rights should be enhanced to improve the efficiency of evidence collection and the traceability of products.

Xinhui Orange Peel is protected under two systems: Geographical Indication which is protected under "Geographical Indications Protection Regulation", and GI trademark(certification mark/collective mark) which is registered under "Trademak Law". The applicant of Geographical Indication is the Xinhui District government . Xinhui District Intellectual Property Bureau is in charge of GI management. The newly established Xinhui Orange Peel Association is specifically authorized by the government to deal with the operation and promotion of GI. What makes it more complicated to understand is that the applicant of GI certification mark is Xinhui District Agricultural Society, which is an association(legal person) under the Agricultural and Rural Affairs Bureau. This makes a tripartite conflict.

Due to the long time and high cost of litigation and the lack of manpower, the Xinhui District Agricultural Society is reluctant to file lawsuits against those who infringe the right of Xinhui Orange Peel in the market, and treats the right to litigate negatively. The Xinhui Orange Peel Association, which is the operating body, is not the registrant of the GI trademark and is therefore not qualified to file infringement lawsuits. This shows that the contradiction in the qualification of the subject of infringement litigation has not been effectively resolved in legislation and judicial practice when the registered subject and the operating subject are not the same subject.

What this contradiction reveals to us is that the government's functions should be clarified and the role of industry associations should be brought into play. Firstly, the government should take a holistic and macroscopic overall view, transcending the confines of individual interests to carry out industrial integration, registration and maintenance of geographical indications and public relations activities, etc., while industry associations should exercise a certain degree of autonomy to coordinate between individual interests. The roles of the government and industry associations should complement each other.

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Does Geographical Indicator contribute to agricultural sustainability? Lessons from the Kaipad rice ecosystem of Kerala, India

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Abstract **– The study shows that GI recognition has brought about collective actions in the area and as a result, the stakeholders are experiencing positive income effects. Analysis of yield for traditional and high yielding varieties reveals that the breeding efforts of rice scientists have also contributed to the betterment of farm incomes in the area. Evidence from Kaipad also confirms that increasing producer welfare can interest and engage more farmers into the system to save tradition and preserve it for the new generations. In nutshell, GI recognition has contributed towards the socio-economic and environmental sustainability of Kaipad tracts. In the developing country context, GIs could be a tool with which producers can do wonders, only if they try and enter the niche markets through well crafted marketing strategy. Kaipad rice as a GI is in its infancy. More time, patience, resources, quality control mechanisms, product differentiation, and popularisation strategies need to be invested.**

Keywords–**Conservation; sustainability; yield gap; ecologically responsive.**

INTRODUCTION

Kaipad rice cultivation system is climate resilient, saline prone, traditional, organic rice cultivation system in which farmers are following rice and fish rotational cultivation practices over the years (Radhika *et al.,* 2021a). Kaipad rice has been included in the Geographical Indications (GI) registry since 2014 (GI application No. 242). The application was forwarded by the Malabar Kaipad Farmers' Society (MKFS) and facilitated by the state agricultural university. The most popular traditional cultivars of this tract are Kuthiru and Orkayama. Apart from the traditional varieties, farmers are also cultivating High Yielding Varieties(HYV) developed by Kerala Agricultural University (KAU) Viz., Ezhome1,2,3,4. The farmers of the Kaipad tract strictly follow the traditional code of practices and manage to keep their fields under natural controls to preserve the unique quality inherent to the system (Radhika et al 2021b). There is six rice Gis registered from the state of Kerala. The field level experience suggests that there are significant differences observed in economic welfare among rice GIs which can be attributed to the efficiency of collective action of the stakeholders (Radhika et al 2018; Blakeney et al, 2020).

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MATERIAL AND METHODS

Kannur district was purposively selected for the study since the district had the maximum area under the Kaipad paddy. The data was collected randomly from 50 farmers in 2 phases (2014 and 2019). The data collection combined quantitative and qualitative surveys, which were all conducted through direct interview as well as telephonic interview methods.

RESULTS AND DISCUSSION

The profitability of any crop is determined by the cost of cultivation, yield realized, and value of output.

Table 1. Cost of cultivation of Kaipad paddy during pre and post GI recognition (USD/ha)

Particulars	Pre GI	Post GI
Cost of cultivation	855	1145
Average yield/ha	2313	3241
Cost of production/quintal	37	35
Gross Income	604	1280
Net Income	-336	20
Bc Ratio	0.64	1.02
Price/kg	Below MSP	Above MSP

The uniqueness of the production process in Kaipad is that neither fertilizers nor plant protection chemicals are used. Labor accounts for more than 90% of the cost of cultivation in Kaipad. Since the area is swampy, the cultivation practices from land preparation to harvesting are cumbersome and of risky nature requiring skilled laborers. With increasing labor cost, the cost of cultivation is showing an upward trend over years. High labor cost and scarcity of skilled labor are the major constraints in the cultivation of paddy in Kaipad tracts. Kaipad system is creating 279 man-days of employment/ha which includes mount preparation, boundary strengthening, land preparation, transplanting, weeding, harvesting, threshing, transporting the harvest to the nearest vehicle access, and winnowing.

This spread of usage of HYV was evident in the results of cost of production in the post GI period. The cost of production has declined by about 5% during the post GI period (Table 1). The breeding efforts to develop saline tolerant Kaipad varieties by Kerala Agricultural University were successful. The average yield of 'Ezhome-1' and 'Ezhome-2' was 3.5 tonnes per hectare and 3.2 tonnes per hectare respectively, which was 70% and 60% more than that of local cultivars (Vanaja *et al*., 2017). The native farmers were convinced about the preferable characteristics and yield potential of these varieties as the field trials of these varieties were carried out in the farmers' fields. The producers who still preferred to cultivate traditional Kaipad varieties over HYV slowly shifted their preference seeing the positive results obtained by fellow farmers who cultivated these HYV.

The evidence and analysis presented in the paper by Rangnekar (2003) state that at one level the interest to recognize GI corresponds to the possible use of GIs to protect and reward the holders of indigenous knowledge. The other key interest of relevance corresponds to the possible use of GIs as a market promotion mechanism. With the registration of Kaipad rice as a GI under the GI registry of India, the first objective is fulfilled. There are certain essential conditions necessary for a successful geographical-origin branding strategy for farm produce in developing countries like India. A variety of factors including problems of market penetration, the economics of launching products, the multiplicity of labels and mixed notions of quality, and the threatening presence of substitutes and similar products can weaken the benefits attributed to GI in a supply chain. To capture any profits producers should jointly put in efforts to brand their products and in addition, some restrictions should be put in place regarding who can produce and trade the geographical identifiers. In long run, this can help in preventing misuse of GIs and dilution of the quality of products. All these tasks are resource intensive and challenging for individual stakeholders warrants towards collective through a producer organization.

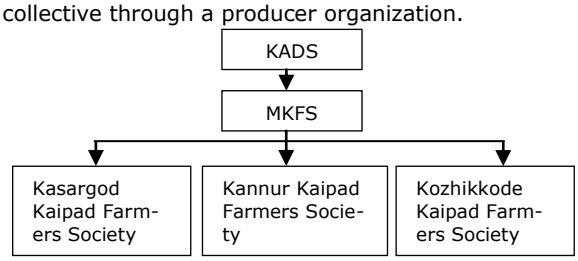


Fig 1. Structure of Kaipad producer organization

Malabar Kaipad Farmers Society (MKFS) is the registered proprietor of Kaipad Rice. In Kaipad MKFS with the active support of Kaipad Area Development Society and other regional societies is trying to tap into marketing strategies to convey these factors. Group farming is being promoted and the society is collecting and marketing rice from the producers at a premium price. The society left no stone unturned in their search for possible markets. They actively participate in fairs conducted by state and private organizations in view to popularise their products. In 2018, National Bank for Agriculture and Rural Development (NABARD) funded a selling point at Kannapuram Panchayat and the MKFS is marketing through this outlet Post GI registration in Kaipad tracts, most of the farmers were depending on the Malabar Kaipad Farmers Society (MKFS) to market their produce. In contrast to the findings of a previous study (Radhika, 2014), intermediaries functioning in the marketing channel have reduced (Fig 2) as most of the farmers were depending on the Malabar Kaipad Farmers Society (MKFS) to market their produce. The society collects paddy at the farm gate at a price greater than the Minimum Support Price (MSP) announced by the state government. Presently, the society is procuring the Kaipad paddy at a rate of USD 0.40, and if the farmers are selling it as rice to the society, they procure it at a rate of USD 0.92-1.05/Kg depending on quality. The rice is being marketed to the public at the rate of USD 1.58/ kg after processing and packaging.

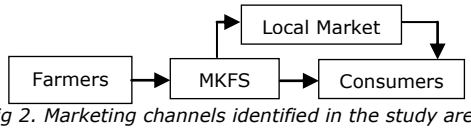


Fig 2. Marketing channels identified in the study area

Conclusion

While we proceed to draw conclusions, the positive income effect cannot be fully attributed to GI recognition. With respect to a new GI in a developing country, it is always recommended that producer organizations have a major hand in promoting their products as a brand. Despite the adverse production and economic environment, Kaipad rice growers could increase their market shares and price to a small degree through the concerted effort by MKFS with support from KAU. Evidence of increasing producer welfare can interest and engage more farmers into the system to save tradition and preserve it for the new generation. Further, labor intensive traditional techniques used at all stages of the production process can have higher employment effects. Eventually, we can aim to reduce the acreage of fallow lands and effectively prevent paddy land conversion. Since farmers are not using any plant protection chemicals or chemical fertilizers in Kaipad, the cultivation becomes environmentally sustainable, as well as economical. Kaipad GI rice contributes to the fundamentals of sustainability by preserving cultural diversity and natural resources, ensuring health and nutrition, and better livelihood. Thus, GIs are likely to contribute a positive impact on agricultural and natural resource sustainability, rural development, and biodiversity conservation

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Tracking Governance for GI organizations

Luis F. Samper[1]

Abstract **– Research has shown that collective action depends on the ability of organizations to develop a strong and participative institutions to be able to implement almost any cooperative endeavour. This is the case of Geographical Indications (GIs), whose ability to succeed depends, among many factors, on their capability to develop a strong governance framework that can deliver strong benefits to both GI producers and other stakeholders in the territory.**

Good governance depends on being able to assert and demonstrate attributes that can, and must, be tracked so that GI Organizations can create an environment of cooperation with value chain stakeholders and with other institutions and authorities. A first stage for decoding governance suggests that GI organizations must be legitimate, participative and transparent. Understanding these concepts so that they can be tracked may ensure the long-term credibility of GI organizations so that they can achieve success.

Keywords **– Governance, Geographical Indications, Legitimacy, Transparency, Representativeness.**

Introduction

Strong institutions are recognized as a key success factor for fruitful collective endeavours in general and Geographical Indications (GIs) in particular (Commons, 1931; Giovannucci et al, 2009; Harding, 1968; North, 1987 & 1990; Olson, 1965; Ostrom, 1990; Quiñones-Ruiz et al, 2016; Reina et al, 2007; Schmid, 1987; Skilton, 2013; among many others). Apart from reflecting local culture and traditions and adapting to changing contexts and environments, the literature has suggested conditions and principles for successful institutional arrangements and ways to measure social capital (Ostrom, 1990; Inglehart et al, 2020; Keefer & Scartascini, 2022). Achieving a good governance is particularly relevant for GIs, as they depend on the collective goodwill and on the cooperation of several stakeholders which include, in addition to producers, government officials and value chain actors. The large majority of the nearly 9,000 GIs around the world (oriGIn, 2022) depend on their ability to be respected and credible in order to enlist the cooperation of these and other stakeholders.

The theoretical work on institutions has provided useful frameworks for GI Organizations (Bienabe & Marie-Vivien, 2017; Coneely & Mahon, 2015; Jeffery & Peter, 2000; Kizos et al, 2017; Niederle & Masgarenhas, 2017; Quinones-Ruiz et al, 2017 & 2020; Reviron & Chappuis, 2011; Sidali & Scaramuzzi, 2014), which may be known as Conzorzia, Regulatory Councils, Trade Associations, or producer associations. Recognizing the crucial role of institutions for GIs, oriGIn and FAO´s Sustainability Strategy for Geographical Indications (SSGI) has included Governance as a key sustainability pillar for any GI system. GI organizations are therefore challenged to review and manage their own governance and ensure their long-term success. However, there seems to be a void in the literature for GI organizations to understand the different components of governance and how to track them to gain the required credibility to ensure a successful GI system.

Governance: A wide meaning

Tracking institutional attributes requires an effort to define governance and understand its components. Certification agencies such as fairtrade and other collective efforts, such as the International Cooperative Alliance, have developed principles of governance to follow to ensure they achieve credibility (International Cooperative Alliance, 2015). A useful definition suggests that Governance is "the system by which organizations are directed, controlled and held accountable" (Conforth, 2003). When it comes to GI organizations, this "system" needs to articulate the interests of producers and private sector actors as well as government institutions (which may include policymakers in the areas of agriculture, rural development or intellectual property), and authorities from the territory where the GI product originates. In addition, GI organizational governance must consider the local inhabitants and their identity, while striving to obtain the credibility of distribution channels and consumers. The complexity of a GI system governance requires several "mechanisms, processes, relationships and institutions through which individuals and groups articulate their interests, exercise their rights and obligations, and mediate their differences" (Vandecandelaere et al., 2009).

The recently published Manual for GIs in Africa (Afripi, 2022) and the SSGI have tried to decode governance identifying key components that any GI organization should consider. Key topics include representativeness, legitimacy and transparency. In addition, GI organizations must be cognizant of the need to enhance their communications to both internal and external stakeholders to ensure that these audiences are aware of the policies and decisions, explaining the "reasons why" behind them.

Selecting Key concepts and Measures

The three components of governance to be explored require further understanding of their complexity and possible indicators to track them.

Representativeness involves reviewing whether decision makers adequately embody GI producers. This implies understanding the GI system, the different activities contemplated in the GI specifications (*cahier des charges)*, and whether producers and processors, as the case may be, are part of the bodies that make decisions affecting the GI system considering the collective interests. In addition to the role of producers or processors, representativeness may be analysed by other criteria such as gender, size of operation or geographic origin. Another aspect to consider is whether GI producers in charge of making decisions within the GI organization decision making instances actively participate in such venues. In other words,

representatives and active participation must be jointly reviewed and measured.

Legitimacy involves its own set of components, which have been explored with some detail (Garthoff, 2010; Santana, 2012; Suchman, 1995; Thévenod-Mottet, 2006). First, there is regulatory legitimacy, which is strongly associated with the concept of due process, compliance with the law and compliance with the GI organization´s own internal by- laws or other rules of internal operation. The GI organization must therefore adhere to the different rules and instances of collective decision making. A second subcomponent could be described as perceptive legitimacy, which includes the use of symbols, the respect of traditions and the appropriate and expected behaviour of the individuals running the GI organization and its decision-making bodies. A third aspect to consider can be described as cognitive legitimacy, which deals with the respect that derives from the degree of preparation of the people that belong to the GI organization and the depth of analysis and soundness of the choices they make.

Transparency is another key pillar of governance. In the case of a GI organization, it means the ability to make decisions in an open, transparent manner, disclosing conflicts of interests when required. The processes of enforcing GI rules must be neutral, (Ménard, 2000) absent of any possible interference of interested parties. Transparency also involves the credible management of financial resources and the regular and open reporting of the GI organization´s activities.

Lastly, GI organizations operating in the XXIst century must be cognizant on the need to actively communicate, as governance credibility also rests on communication. The appropriate timing and the format of how GI organization decisions are conveyed and explained to stakeholders can bring about confidence in those making those decisions.

Tracking Governance

Clearly there is no one single attribute and variable that can monitor governance and the effectiveness of a GI organization. The work being done in the context of SSGI provides a total of 75 indicators to monitor a GI organization governance (Vandecandelaere et al 2021) The battery of indicators is distributed in 5 themes (rule of law 24 indicators, accountability 17, participation 16, holistic management 13, ethics 5). As the SSGI becomes available and is used by a larger number of GI organizations, selecting key indicators of interests to track governance will be a key aspect to consider of future research. At this point 44 indicator have been selected as key indicators that may be considered for all GI organizations.

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Le rôle des indications géographiques en Europe et dans le monde : vers une transformation internationale à travers la politique commerciale de l'UE ?

Laurent Manderieux

L'étendue de la protection des indications géographiques (IG)[1] dans l'Union européenne (UE) s'est considérablement développée grâce à la jurisprudence la Cour de justice de l'UE (CJUE) : dans un certain nombre d'arrêts (tels ceux des affaires *Champanillo*[2], *Morbier*[3], *Queso Manchego*[4], *Scotch Whisky*[5] et *Viniverla*[6]), la CJUE a entre autres précisé qu'il est interdit dans l'UE aux produits non protégés par des IG de présenter certaines caractéristiques ou d'utiliser des images qui évoquent des IG. Cela s'applique quand bien même des produits ou services non protégés par des IG sont différents de ceux protégés par les IG et proviennent de la zone géographique des IG concernées.

La présente contribution soutient que, outre l'élargissement de l'étendue de la protection des IG déjà discutée par la Doctrine, les IG se sont transformées en un droit de propriété intellectuelle (PI) différent, potentiellement capable de protéger plusieurs aspects d'un produit.

Cette transformation et ses implications ne sont pas passées inaperçues dans la jurisprudence, comme en témoignent les conclusions de l'Avocat général de la CJUE Pitruzzella dans l'affaire *Queso Manchego*, où il relevait que « la protection contre l'évocation rappelle celle qui est accordée aux marques renommées ». Dans la même lignée, prenant certainement en considération la nécessité de ne pas trop étendre la protection des IG (mais craignant que cette possibilité ne se produise), M Pitruzzella convenait avec la Commission européenne dans ses conclusions de l'affaire *Morbier* que la forme ou l'apparence d'un produit peut représenter une évocation interdite d'une IG à condition que l'élément reproduit ne soit pas « intrinsèquement lié à un procédé de production qui, en tant que tel, doit rester à la libre disposition de tout producteur »[7]. Ainsi, alors que l'objet de la protection des IG reste une indication ou un terme, la protection par les IG s'étend à plusieurs éléments d'un produit IG, tels que sa forme, son apparence et ses caractéristiques. Des effets additionnels de l'IG la rapprochent donc de ceux de la marque renommée. Cette extension bienvenue renforce considérablement le rôle de l'IG pour ses détenteurs[8], et l'attractivité du système des IG pour les détenteurs potentiels, y

[1] Le terme IG est utilisé ici pour désigner un certain nombre de moyens différents de protection des noms et des symboles, allant des indications de provenance aux appellations d'origine, et d'autres signes distinctifs similaires.

[2] CJEU, ARRÊT DE LA COUR (cinquième chambre), 9 septembre 2021, Comité Interprofessionnel du Vin de Champagne contre GB , https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62019CJ0783

[3] CJEU, ARRÊT DE LA COUR (cinquième chambre), 17 Decembre 2020, Syndicat interprofessionnel de défense du fromage Morbier contre Société Fromagère du Livradois SAS, https://eur-lex.europa.eu/legal-content/FR/TXT/HTML/?uri=CELEX:62019CJ0490&qid=1651314735996&from=EN

[4] CJEU, ARRÊT DE LA COUR (cinquième chambre), 2 mai 2019, Fundación Consejo Regulador de la Denominación de Origen Protegida Queso Manchego contre Industrial Quesera Cuquerella SL, https://eur-lex.europa.eu/legal-content/FR/TXT/HTML/?uri=CELEX:62017CJ0614&qid=1651314818124&from=EN

[5] CJEU, ARRÊT DE LA COUR (cinquième chambre), 7 juin 2018, Scotch Whisky Association, contre Michael Klotz, https://eur-lex.europa.eu/legal-content/FR/TXT/HTML/?uri=CELEX:62017CJ0044&qid=1651315016660&from=FR

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[7] cf. Zafrilla Díaz-Marta, V. and Kyrylenko, A. (2021), "The ever-growing scope of Geographical indications' evocation: from Gorgonzola to Morbier", Journal of intellectual Property Law & Practice, 2021, pp.1-8

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compris dans les Pays en développement en pleine croissance économique[9], et ce malgré les critiques d'une partie de la Doctrine[10].

Or une telle transformation du rôle des IG, que l'on pourrait qualifier de « contamination » d'autres droits de PI, est susceptible de se produire au niveau international : la présente contribution passe en revue plusieurs accords de libre-échange de l'UE[11] et y a identifié l'utilisation d'un langage identique ou similaire à celui de la législation européenne relative aux IG[12]. Cela pourrait conduire l'UE, ses États membres et/ou les exportateurs de produits protégés par les IG de l'UE à les interpréter conformément à la jurisprudence de la CJUE et à inviter les partenaires de l'UE à suivre la logique de cette interprétation. Néanmoins, à la lumière de la dynamique entourant les négociations de ces accords, il est possible de douter que certains des partenaires commerciaux de l'UE puissent accepter aisément une transformation aussi importante du rôle des IG. En outre, les Pays en développement partenaires de l'UE, bien que nombreux à être intéressés au développement des IG, en évaluent également les aspects multiples[13] et complexes[14], et ne pourront accepter aisément une telle transformation et extension du rôle des IG sans un soutien de l'UE pour leur permettre d'en maximiser les bénéfices économiques et sociaux.

[9] Marie-Vivien, D. (2020), "Protection of Geographical Indications in ASEAN countries: Convergences and challenges to awakening sleeping Geographical Indications", *The Journal of World Intellectual Property*, 23 (6)

[10] Hughes, J. (2016), "The Limited Promise of Geographical Indications for Developing Country Farmer*s"*, in I. Calboli and Wee Loon Ng-Loy (Eds.), *Geographical Indications at the Crossroads of Trade, Development, and Culture in the Asia-Pacific*, Cambridge University Press

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[12] 2020 Agreement between the European Union and the Government of the People's Republic of China on cooperation on, and protection of, geographical indications (Brussels, 9 July 2020), https://data.consilium.europa.eu/doc/document/ST-8361-2020-INIT/en/pdf

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« Madd de Casamance », une IG pour répondre à de multiples enjeux de durabilité au Sénégal

Fournier S., Kanouté P. T., Sambou M., Sow F.[1]

Résumé – Cette communication analyse la demande d'enregistrement d'une IG « madd de Casamance » faite par une association de cueilleurs et transformatrices de madd casamançais. Des défis ont dû être relevés pour la construction de cette demande et du cahier des charges associé, au niveau de la nature du produit IG (produit frais et/ou transformé), de la délimitation de l'aire géographique pour la transformation, du contrôle et de la traçabilité. L'impact que l'enregistrement de cette IG pourrait avoir sur la durabilité de la filière est évalué *ex ante*.

Mots clés – Durabilité, Indication Géographique, Sénégal, Casamance, filière

Introduction

Le madd, ou *Saba senegalensis,* est une liane sauvage poussant en forêt et dont les fruits sont consommés frais ou transformés en jus ou conserves. L'enregistrement d'une Indication Géographique (IG) « madd de Casamance » est demandé par une association regroupant des cueilleurs et des transformatrices de madd, l'APPIGMAC (Association pour la Protection et la Promotion de l'Indication Géographique *Madd de Casamance*).

Le Sénégal, signataire de l'accord de Bangui de l'Organisation africaine de la propriété intellectuelle (OAPI), souhaitait développer une politique de protection d'IG depuis plusieurs années. Le gouvernement sénégalais et l'Agence Sénégalaise pour la Propriété Industrielle et l'Innovation Technologique (ASPIT) ont ainsi travaillé à la mise en place d'un cadre juridique national. Le 12 décembre 2019, un arrêté a créé et fixé les règles d'organisation et de fonctionnement du Comité National des Indications Géographiques au Sénégal (CNIG). Suite à une réunion d'installation officielle du CNIG (le 18 novembre 2020 à Dakar), puis à une formation des membres (organisée les 1 et 2 juillet 2021), le dispositif est maintenant opérationnel.

Cette communication cherche à montrer comment la demande d'enregistrement de l'IG « madd de Casamance » a été construite et en quoi l'enregistrement de cette IG contribuerait à la construction d'une filière impactant positivement sur les piliers du développement durable.

Methodologie

Différents projets d'IG ont été à l'étude au Sénégal depuis le début des années 2010 : miel de Casamance, sel du lac rose, madd de Casamance… Une étude du potentiel en tant qu'IG de différents produits sénégalais a été réalisée (Bagal *et al.*, 2018).

Le projet d'enregistrement d'une Indication Géographique (IG) « *madd de Casamance* » a fait l'objet des investissements les plus significatifs, car une demande de la part des acteurs locaux est apparue très vite. A la suite d'un séminaire sur les IG organisé en Casamance, les transformatrices de madd ont exprimé leur vif intérêt pour une IG « madd de Casamance ». Une première étude de la faisabilité et de l'intérêt de la mise en place de cette IG a alors été réalisée en 2017 grâce à un financement FAO (Bermond, 2017 ; Bermond *et al.*, 2018).

Différentes activités visant à l'évaluation prospective de cette IG et/ou à la formation des acteurs locaux ont ensuite été organisées grâce à des appuis de la FAO et de l'EUIPO.

A partir de 2019, un plan d'action a été mis en place et soutenu par l'OMPI pour structurer l'association porteuse, construire le cahier des charges et justifier l'enregistrement de l'IG. Il a été ralenti par la pandémie, mais il aura permis l'envoi de la demande d'enregistrement de l'IG mi-2022. Il a inclus la formation et l'organisation de réunions régulières d'un comité « Cahier des charges » constitué au sein de l'APPIGMAC.

Depuis 2022, cette IG est appuyée par le projet « Facilité IG » (Cirad / AFD).

Defis releves pour l'enregistrement de l'IG « madd de Casamance »

Le projet de cahier des charges prévoit que l'IG « madd de Casamance » porte sur le fruit frais cueilli en forêt et cinq produits transformés (nectar, sirop et trois types de conserves). Il impose que la cueillette et la transformation se déroulent obligatoirement dans les trois régions administratives composant la Casamance naturelle (régions de Ziguinchor, Kolda et Sédhiou), avec également des contraintes en termes de distance (200 kms maximum entre le lieu de cueillette et celui de la transformation) et de temps (2 jours maximum entre la cueillette et la livraison à

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l'unité de transformation, puis 3 jours maximum avant le début de la transformation). Il fixe enfin les critères de qualité requis et les méthodes d'obtention pour les fruits frais et les produits transformés.

La question de la nature du ou des produits IG (fruit frais et/ou produits transformés), initialement problématique, a été résolue. Il a été possible de construire une demande d'IG répondant aux demandes des acteurs locaux (qui souhaitaient que l'IG porte sur les deux types de produit) grâce à la mise en évidence lors d'une étude réalisée en 2020 d'une spécificité et d'une réputation des produits transformés en Casamance en plus du fruit frais (Hernandez et al., 2020).

Cette même étude justifie également que la transformation se fasse obligatoirement en Casamance, car les produits transformés qui en sont issus ont bien une spécificité. Il restera possible pour les artisanes / unités de transformation semi-artisanales hors zone de faire des produits « à base de madd de Casamance IG ».

La question de la traçabilité et des parties de la filière sur laquelle celle-ci devait être établie a également été problématique. Cette traçabilité est dure à établir à l'extrême amont de la filière pour un produit de cueillette comme le madd, dont la filière est également caractérisée par des groupes de cueilleurs mobiles. La solution a consisté à considérer, de manière très réaliste, que le risque de présence en Casamance de madd non casamançais est très faible. L'enjeu de la traçabilité était donc bien d'assurer dans les zones de consommation l'origine casamançaise du produit.

La question du contrôle a aussi posé des problèmes, du fait de l'importance de contrôler les pratiques de cueillette, la qualité des fruits et les procédés de transformation. La solution identifiée repose sur un double dispositif : des contrôles inopinés des groupes de cueilleurs et des unités de transformation sur la base de tirages au sort effectués chaque année par le Bureau de l'APPIGMAC, ainsi que le passage obligatoire du « madd de Casamance » frais par des centres de conditionnement au sein desquels l'APPIGMAC pourra contrôler sa qualité.

Quels impacts de l'IG « madd de Casamance » ?

Sur le plan environnemental et sanitaire (approche « One health »), l'enregistrement de cette IG permettra grâce à la meilleure valorisation de cette ressource forestière non ligneuse qu'est le madd la préservation des forêts casamançaises, car les oppositions aux feux de forêts allumés par les chasseurs et les agriculteurs et à l'abattage illégal des forêts seront plus fortes. Le cahier des charges a également été conçu de manière à imposer de bonnes pratiques de cueillette, garantissant à la fois la sécurité sanitaire et la préservation de la ressource : la commercialisation sous IG n'est possible que pour des fruits cueillis à maturité, sans maturation artificielle ni traitement post-récolte (les fruits cueillis verts et mûris artificiellement causant des intoxications alimentaires) et la coupe des lianes est interdite.

Sur le plan économique et social, l'enregistrement de cette IG est à même de construire une filière de produits de qualité garantissant une bonne rémunération pour les acteurs économiques locaux, une répartition de la valeur ajoutée entre les différents maillons de la filière plus juste et un maintien de cette valeur ajoutée dans le territoire d'origine. En effet :

- La coordination entre cueilleurs et transformatrices sera renforcée grâce à la structuration de l'APPIGMAC garantissant une représentativité et impliquant un consensus entre les différentes professions.
- La protection des noms est demandée pour le madd frais et pour des produits transformés localement, la spécificité de ceux-ci ayant été démontrée. Cela permettra de lutter contre les usurpations du nom « Casamance » constatées et ainsi d'augmenter les prix de vente des produits sous IG à la traçabilité établie.
- La transformation certifiée du « madd de Casamance » n'étant possible que dans un rayon de 200 kms autour la zone de cueillette, ce qui évitera la concurrence entre les artisanes casamançaises et les unités semi-industrielles du nord du pays. Cela est nécessaire pour avoir des fruits frais et non abimés par un long transport. La possibilité pour la transformation hors zone de faire des produits « à base de madd de Casamance IG » ne restreindra pas le marché pour les cueilleurs de l'association.
- Le « madd de Casamance » deviendra un produit d'origine, naturel et éthique, cueilli et transformé / consommé à maturité, et devrait ainsi bénéficier d'une demande renforcée. Le monopôle des acteurs économiques locaux sur ce produit d'origine permettra des relations plus équilibrées avec les acteurs de l'aval des filières.

Remerciements

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Geographical Indication System to Protect the Craft Sector in Sri Lanka

Dilani Hirimuthugodage[1]

Abstract – **Crafts is one of the oldest industries in Sri Lanka which dates back to many millenniums. There are huge number of handicrafts in Sri Lanka. As a member of the World Trade Organization (WTO), Sri Lanka protects its Intellectual Property Rights (IPRs) under the Intellectual Property Rights Act No: 36 of 2003. According to the World Intellectual Property Organization (WIPO) crafts can be protected using several types of Intellectual Property Rights (IPRs) and around the world countries are using one or several such methods to protect their craft sectors. The main objective of this research study was to understand the feasibility of introducing a GI protection system for the Sri Lankan craft sector. To achieve the said objective the study used both qualitative and quantitative research methods comprising of literature reviews, key informant interviews, several field visits and country case studies. Two craft products were selected in this regard. It was identified from the study that the Geographical Indication (GI) is the most feasible and suitable protection system for Sri Lankan crafts when compared with trademarks and patents.**

Keywords – **Geographical Indication, crafts, Sri Lanka**

Introduction

The craft sector depends on the talents of individuals and the generation of intellectual property. Several IPRs are relevant to the sector. For example, patents, trademarks, Industrial design, GI for location-specific creativities etc. GI is a sign used to identify functions, and are used to distinguish goods having certain properties to a particular geographical location. In addition, the quality, reputation or other characteristics of the good is essentially attributable to its geographical location. IP enforcement is important to protect the creator and/or investors to provide them with incentives to invest and further develop the sector. Therefore, IPRs play a major role in driving this sector.

Countries around the world are using different types of IPRs to protect their craft sectors and such methods are based on their economical, financial, legal and social characteristics. Sri Lanka being a country that is well equipped with natural resources and traditional knowledge has an immense potential of gaining socio – economic development through GI. Further, as a member of WTO, Sri Lanka is obliged to follow the protection methods provided in the TRIPs agreement.

The main objective of this paper is to identify the best feasible protection method for Sri Lankan craft sector. Further, as specific objectives, this will identify the barriers faced by the stakeholders in the craft sector value chain and try to identify the options to improve the sector with the protection of IPRs.

Methodology

To achieve the above mentioned objectives the study used both qualitative and quantitative data. Qualitative data were collected from Key Informenat Interviews (KIIs), feild visits and country case studies. Secondary data were collected from the Labour Force Survey (LFS) and data published from National Craft Council and other relevant Ministries.

Data were analysed using content analysis and spreadsheet anaysis.

Findings

There are several sub sectors in the Sri Lankan craft sector. More than 147,9432 employees are involved directly or indirectly in this sector. Both male (46%) and female (54%) employees work in craft sector. (LFS, 2017). The level of education of the craftsmen is explained in Fig1.

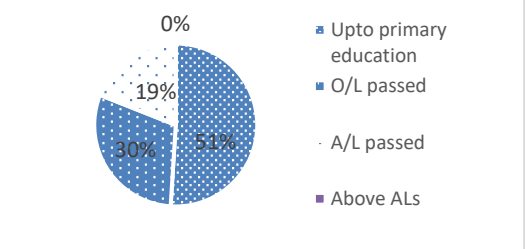


Figure 1: The Level of Education
Source : Author calculations based on the Labour force survey data-2017, Department of Census and Statistics

Temporary workers are more prominent in this sector. The craft sector also accounts for the largest share and the highest number of casual employees, reflective of self-employed and unpaid family workers in the employment status categorization. As shown in Figure 2, nearly 50% of the employees in the sector are self-employed

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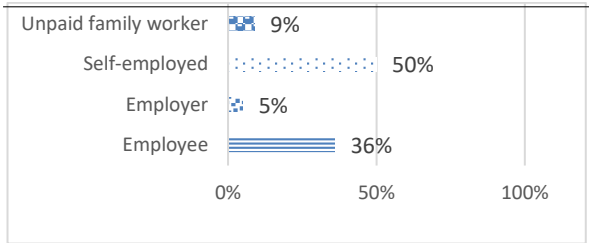


Figure 2 : Employment Status in Craft sector
Source : Author calculations based on the Labour force survey data-2017, Department of Census and Statistics

Several value chain actors involved in the "Weweldeniya rattan" and "Moratuwa wood carvings" highlighted some of the barriers they are facing when expanding the businesses. Difficulty in finding quality raw-materials is one of the main constraints. Finding markets is another common issue specially with the individual entrepreneurs. They have small roadside boutiques and have limited opportunity to sell their products. Lack of technology transferring is identified as another issues in the craft sector stakeholders. Not having a proper mechanism for craftsmen to enter the export and foreign market chains is another constraint. Currently, younger people do not like to engage in the craft sector, as there is no proper mechanism with regard to training, marketing and financial opportunities. Most importantly, there is no IPR protection system existing in the craft sector which hinders the growth of expanding the domestic and export markets, attracting new investments, introducing new technologies, expanding the other business activities etc.

Countries such as Indonesia, Thailand and India have overcome these issues by implementing GI sytems to protect their products. For an example; Craft sector is one of the most important subsectors of the economy of Indonesia. Many researchers point out that GI can bring the prosperity, marketing support, financial benefits and is able to build rural sustainability in Indonesia. Further, as a cultural product, GI crafts in Indonesia have a bigger opportunity to survive in the global market (Arief, 2016).

Art and craft productions in Thailand play a vital role in terms of contributing to the country's national economic and social development. The industry is able to provide employment to over two million workers. Three of Thiland GI craft products were selected on WIPO Branding Project.

International experiences have proved that the production volume and value both increased with the introduction of GI system as the product assures a high quality in both local and international markets.

In Sri Lanka, there are few established clusters. For example; Kandy is famous for brassware; Southern province is for Crochets, Matale for Laksha, Kurunegala pottery etc. The clusters are developed based on the availability of good quality raw material in the respective areas.

The sector is governed by the policies of the Ministry of Industry and Commerce,The National Craft Council, National Design Center,Industrial Development Board,National enterprise Development Authority etc.

In clusters such there are many established formal and informal associations which support craftsmen. Therefore, there is high possibility of standardizing the quality of craft products.

Recommendations

The IPR act of Sri Lanka provides provisions for the GI protection. Presently, there is an amendment suggested to the existing act which proposes a GI registry system for Sri Lanka. However, the lack of knowledge on IPR system delays craftsmen in obtaining individual protections such as industrial design, trade mark etc. Further, obtaining trademarks, patent, industrial design etc. is a costly process and renewal is needed. Since most of the craftsmen are in the rural areas and a higher percentage of them belongs to the poor category, getting a patent or a trademark is difficult for them.

There are already developed geographical clusters for craft sector in Sri Lanka and the local reputation for each craft cluster is developed based on their origin or the territory. For an example; Weweldeniya rattan, Moratuwa wooden carvings, Ambalangoda masks etc.

Further, these crafts product are specific to the relevant area. Craftsmen are using raw materials which are available in the specific area. The process of creating crafts is based on the knowledge handed down from generation to generation.

There is a well-developed reputation and history for these crafts products and the main characteristics or the specification of the products are linked with its origin. Further, there is an established value chain system or the supply chain system in these selected two crafts products which can be developed to trace and linked with the origin. There are a few established associations such as "Moratuwa wood workers associations, Rattan producer's association etc. which will help in creating GI associations.

Conclusion

In light of the above facts, it is identified that the GI system is the most feasible and suitable protection system for the Sri Lankan craft sector.

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IG poivre de Penja (Cameroun) : une ressource commune à l'épreuve des rapports de pouvoir

Chloé Tankam[1]

L'enregistrement de l'Indication Géographique Poivre de Penja (IGPP) en 2013 a donné lieu à une explosion de la production et une nette amélioration des prix. Cet enregistrement est en partie dû à des acteurs économiques majeurs, fortement impliqués dans la construction de la démarche. La prise en compte des asymétries entre acteurs et des rapports de pouvoir est un enjeu clé pour la construction d'actions collectives efficaces. Comment l'IGPP compose-t-elle avec l'hétérogénéité des acteurs dans la gestion de la ressource ? Nous mobilisons une grille d'analyse croisant deux approches théoriques des communs, l'une socio-économique dans la tradition des travaux d'Elinor Ostrom, et l'autre sociopolitique intégrant la question des rapports de pouvoir. La grille est appliquée à des données d'enquête recueillies par entretiens semi-directifs en 2017. Les efforts de construction d'une action collective associant les différentes catégories d'acteurs butent sur des blocages institutionnels qui fragilisent la mise en œuvre du contrôle et de la traçabilité, la réputation du poivre et ses bénéfices pour l'ensemble des acteurs enregistrés. Pour les petits producteurs, la contrainte est renforcée. Or, leurs capacités d'action est en réalité plus étroite que laisse entrevoir l'organisation de l'interprofession. L'IGPP pâtit des faiblesses institutionnelles et d'une insuffisante prise en compte des contraintes des petits producteurs.

Mots-clés: action collective, communs, asymétries de pouvoir

Introduction a l'utilisation du modele

L'Union Africaine s'est dotée depuis quelques années d'une stratégie de soutien aux indications géographiques (IG). Le poivre de Penja au Cameroun a été la première IG enregistrée pour la zone de l'Organisation Africaine pour la Protection Intellectuelle (OAPI). Notre article porte sur les modalités d'organisation de cette IG.

Les IG représentant une démarche collective, aucun acteur ne peut en définir seul le contenu. Or, une IG doit généralement composer avec une multitude d'objectifs. De plus, elles se construisent souvent autour d'une diversité d'acteurs dont il faut tenir compte lors de la définition des règles et dans la gestion quotidienne de la ressource. La prise en compte de la question de la représentativité des acteurs apparaît comme cruciale pour réduire les risques de conflits pouvant affaiblir les IG (Marie-Vivien et al., 2019). Or, elle dépend fortement des rapports de pouvoir entre les différents acteurs.

L'étude de l'IG Poivre de Penja nécessite de prêter attention aux relations de pouvoir dans la gestion de la ressource commune, du fait de l'hétérogénéité des acteurs de la filière et de l'opportunité économique que l'enregistrement a représenté. Ainsi, dans cet article, nous posons les questions suivantes : L'IGPP parvient-il à produire une gestion partagée de cette nouvelle ressource commune ? Comment l'action collective gère-t-elle les asymétries entre les acteurs ?

Methodes utilisees

Nous mobilisons les travaux d'Ostrom pour caractériser le mode de gouvernance de la ressource commune, à savoir la dénomination « poivre de Penja ». Nous considérons notamment les trois types de règles encadrant la gestion des ressources communes, les règles « opérationnelles », « de choix collectifs » et « de choix constitutionnels » (Ostrom, 2005). Cette distinction est utile pour rendre compte de la manière dont les règles peuvent être transformées. Nous considérons aussi les principes de « performance institutionnelle ». Toutefois, cette grille de lecture a ses limites, notamment dans sa capacité à prendre en compte les relations de pouvoir (Weinstein, 2014). Or, les actions collectives peuvent échouer lorsqu'elles ne prennent pas en compte l'hétérogénéité entre les acteurs qui peut réduire la capacité d'une partie des acteurs à tirer bénéfices d'une ressource et donc décourager leur participation (Peluso & Ribot, 2020). Plusieurs travaux ont proposé une extension du cadre ostromien à partir de la théorie du pouvoir de Luke (2005) (Bribois et al., 2019 ; Clément, 2010).

Nous appliquons cette grille aux données collectées dans le cadre d'une enquête de terrain conduite en novembre et décembre 2016. Notre matériau est constitué de 51 entretiens semi-directifs : 24 producteurs enregistrés, 4 producteurs non-enregistrés, 12 distributeurs et 11 acteurs institutionnels. Les entretiens ont été retranscrits in extenso. Nous nous appuyons également sur des documents techniques (cahier des charges, comptes-rendus de réunions etc.).

Resultats

L'IGPP a permis de construire une association impliquant des représentants de l'ensemble de la filière. La

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gestion durable de la ressource reste néanmoins prise dans un double faisceau de contraintes qui se renforcent : des droits d'accès à la ressources fragilisés et la capacité à effectivement tirer bénéfices de la ressource limitée. Les droits d'utilisation de la dénomination sont impactés par les insuffisances de l'environnement institutionnel qui freinent la mise en place du contrôle. Cela a pour conséquence d'affaiblir la réputation du produit et les bénéfices pour l'ensemble des producteurs. En revanche, la contrainte est renforcée pour les petits producteurs soumis à une organisation qui tient insuffisamment compte de leurs contraintes, traduisant un rapport de force en leur défaveur. La construction d'un centre de conditionnement est une réponse insuffisante à ce double enjeu d'accès aux droits et de profitabilité.

INTERPRETATION

Nous partons des principes de performance institutionnelle définis par Ostrom (2005) pour étudier le fonctionnement de la structure de gouvernance. L'IGPP repose sur la délimitation de la ressource, une action collective attentive à l'enjeu de représentativité des différentes catégories d'acteurs et au risque de « qualité-exclusion » (Belletti et al., 2016). Les difficultés tiennent principalement dans l'organisation du respect des règles. En effet, la mise en œuvre de l'IGPP a révélé les limites de l'Accord de Bangui et les difficultés pour l'Etat à lutter contre les usurpations. L'affaiblissement de la réputation du produit impacte l'ensemble des producteurs.

Toutefois, la lutte contre les aléas moraux n'est pas le seul levier dans la gestion durable de la ressource. L'action collective doit tenir compte de l'hétérogénéité des acteurs pour inciter les acteurs à s'enregistrer et changer leurs pratiques. Malgré des appuis techniques, les objectifs de l'association prennent insuffisamment en compte les principales contraintes techniques et financières des petits producteurs face à une production elle-même spécifique. Par ailleurs, nous montrons que l'organisation de l'association ne permet pas de garantir le prix plancher du kilo de poivre revu pourtant chaque année à la hausse. Enfin, les leviers dont disposent les petits producteurs pour faire évoluer ces règles sont limités. Leur implication au niveau opérationnel est en réalité cadrée à des niveaux supérieurs qui leur échappent.

Considérant ces différents enjeux, nous étudions la réponse que constitue le centre de conditionnement. Le contrôle des produits bute de nouveau sur les fragilités des institutions nationales mais aussi locales. Enfin, les services attachés au conditionnement représentent des coûts supplémentaires que les petits producteurs ne sont pas certains de pouvoir répercuter sur des marchés locaux étroits. De plus, l'accès à l'export ou à des marchés plus qualitatifs localement ne fait pas l'objet d'un accompagnement spécifique. Or, le centre seul suffit pas organiser l'accès aux marchés et échoue à canaliser la filière.

Si nous discutons de la profitabilité du poivre à partir des règles élaborées, nos données mériteraient d'être étayées par une enquête quantitative. Par ailleurs, certains travaux peuvent être utilement convoqués pour mieux appréhender le rôle de l'Etat qui revendique la propriété de l'IG (Ongolo, 2015). Enfin, l'attribution des modalités de gouvernance à des rapports de force défavorables aux petits producteurs mériterait une analyse affinée des stratégies de pouvoir, allant au-delà de l'opposition entre acteurs dominants et petits producteurs. Il convient aussi de considérer les complexités et limites de la recherche de représentativité (Marie-Vivien et al., 2019).

L'IGPP s'est construite autour d'acteurs d'importances différentes. Cette hétérogénéité, qui est le moteur initial de la filière, se maintient malgré une gouvernance collective. Or, dans un contexte de fragilité institutionnelle, la capacité des petits producteurs à tirer profit de la ressource est un levier non négligeable, bien que non suffisant, pour favoriser une gestion durable pour tous. L'IGPP pâtit des faiblesses institutionnelles et d'une insuffisante prise en compte des contraintes des petits producteurs.

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Taxonomy of Place-based Labels : Role of *Terroir* and Heritage Systems of Japanese Tea and *Sake*

Yoshitaka Miyake[1], Ryo Kohsaka[1]

Abstract **– Marks related to Geographical Indication (GI) has the aspect of communicating two elements of "place-based" characteristics and "tradition" in temporal scale, besides the technical standards. We comparatively analyze multiple modus of communicating "place-based" or "placeness" and authentic traditions such as regional designation (Globally Important Agricultural Heritage Systems: GIAHS), GI label, and environmental label. We focused on tea to be registered in a GIAHS site. GIAHS is promoting sustainable traditional livelihood based on socio-ecological landscape. We furthermore analyzed tea and *sake*: A hypothetical taxonomy of place-based labels and related schemes are proposed.**

The findings are; first, the registration of tea and *sake* involves various sectors and stakeholders with value-chain of highly valued products. Such value-chain provides unique opportunity to examine inclusion/exclusion process and dynamic communications. Second, tea production is frequently rich in history and their brandings are linked to the mixture of themes and *terroirs,* including symbolic species and biodiversity.

Synergistic relationships between GI and other labels or designation schemes can contribute to sustainable production and consumption of the registered products through the collaborations of various stakeholders.

Keywords **– Geographical Indication (GI); Globally Important Agricultural Heritage Systems (GIAHS); Place-based; Placeness; Socio-ecological landscape**

Introduction

This study introduced the hypothetical framework of spatial registration and explained each element. The analysis of elements contributes to understanding to utilize these registrations for Japanese tea and *sake*. The study first listed and explained the observed elements as taxonomy of "place-based" labels. The second part surveyed the mixture of applications of place-based registrations through the case of Japanese tea production area.

Method

This study consisted of the literature review and the introduction of tea under GI application within the GIAHS site in Japan, where the history is rather short since the introduction. The literature review focused on studies on the impacts of GI and other spatial registrations (Kajima et al., 2017; Kohsaka and Miyake, 2021); environmental and creature labels (Tanaka and Hayashi, 2010; Tanaka and Oishi, 2017). Case of tea production is based on Miyake and Kohsaka (2022). The study interviewed a relevant tea producer, staff of tea association, and government staff for promotion.

Result

Modus to communicate "place-ness"

This study identified the following five elements to communicate placeness or place-based characteristics, tradition, and technological standards in case of tea and Japanese *sake*. Each mode of communication is not exclusive. It can simultaneously involve multiple mode types.

(1) Story-telling is based on stories and iconic landscape about product and production characteristics derived from history and tradition (Kajima et al., 2017). It is also related to the identity of producers and appeal to consumers. Social construction affects persuasive of stories.

(2) Regional designation such as Globally Important Agricultural Heritage Systems (GIAHS) by the Food and Agriculture Organization of the United Nations registers the areal attributes such as bounded regions for conservation of traditional culture and the natural

Table 1. *Modus* to communicate "placeness" or "place-base"

	Communication	Focus
Story-telling	Verbal	Place-ness / Differentiation
Regional designation (GIAHS)	Visual/ Verbal /Non-Verbal	Place-ness / Livelihood / Tourism
GI labels (Tea)	Visual/Non-Verbal	Place-ness
GI labels (Alcohol)	Visual/Non-Verbal	Place-ness/ History/Authenticity Small-Size
Organic	Visual/Non-Verbal	Environment/ Sustainability
Environmental Label/Chain of Custody	Visual/Non-Verbal/Icon	Environment
Icon Living Creatures	Visual/Non-Verbal/Icon	Vague Place-ness/ Environment
Foods with function claims	Visual/Non-Verbal	Health/ Environment

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environment. Further examples include Biosphere Reserves (BR) designated by the Man and the Biosphere Programme of the United Nations Educational, Scientific and Cultural Organization (UNESCO); geoparks for its geological significance.
(3) GI registers product with quality in production and product related to the production region. Producers expect enhanced recognition and value of the product through the registration. This is expected to promote agriculture and other sectors in the region (Kohsaka and Miyake, 2021).
(4) Environmental label proves environmentally friendly practice on a certain process from production to consumption. A major example is organic food production maintaining and enhancing the health of agro-ecosystem while trying to refrain from the use of synthetic input (Codex Alimentarius Commission, 1999).
(5) Living creatures are frequently used as symbol of biodiversity, and the effects are economically justified (Tanaka and Hayashi, 2010; Tanaka and Oishi, 2017). In short, birds and frogs are "icon" to communicate and convey the positive message. In European context, salamanders are used for eco-parks. Yet, we argue that these icons are focused on "environmental elements," possibly comparable to environmental labels such as Forest Stewardship Council (FSC) and others.
(6) Functional claims are related to specific chemical content to enhance health or performance in mind or body. The content can be extracted and purified. Catechin in tea attracts the interest because it is said to decrease body fat and alleviate allergy (Horie, 2019).

GI application within GIAHS

Tea producers of Kikugawa City, Shizuoka Prefecture have been attempting to apply their fukamushicha for GI for differentiation from the one from neighbouring municipalities (Miyake and Kohsaka, 2022). Fukamushi means deep steaming; cha means tea. The GI application says that steaming time for Kikugawa Fukamushicha is longer than other production areas (Kikugawa Green Tea Association).
A main feature of GIAHS including Kikugawa City is *Chagusaba* practice, "traditional tea-grass integrated system" (Shizuoka Prefecture, 2017). *Chagusaba* means grassland for tea. Producers traditionally cut grass on slopes and utilize it as mulch and fertilizer for tea gardens. *Chagusaba* practice also contributes to biodiversity.
The GI registration of tea in a GIAHS site can add the quality of spatially bounded domestic and environmental quality (Miyake and Kohsaka, 2022).

Discussion

This study introduced modes to communicate placeness and hypothetical taxonomy of them. The case of Kikugawa demonstrated the potential to utilize multiple registrations, formalization of manifold placeness characteristics (Miyake and Kohsaka, 2022). This furthers the solidification of bounded placeness, symbolization, and embeddedness about communication of place-based characteristics of the products. This leads to recognition and increase of value on placeness, related environmental elements, and landscape. Production of *sake* has improved adopting modern technology and reintroduced traditional methods. Furthermore, intensive communication has recently increased the value and recognition of high-quality local *sake* (Sato and Kohsaka, 2017). Shift of taxonomy contributed to the increase.
Taxonomical modus of communication on placeness differentiates products and stakeholders. Communication and promotion of placeness involve both local and distant actors. In addition to modus of communication, future studies are demanded on types of stakeholder networks on place-based products. This study was also the preliminary analysis about registering multiple communication modes. The effectiveness also warrants future studies.

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