



## PROTECTION OF GEOGRAPHICAL INDICATIONS IN BILATERAL AND MULTILATERAL TRADE NEGOTIATIONS

### POSITION OF THE ASSOCIATION OF EUROPEAN REGIONS FOR PRODUCTS OF ORIGIN (AREPO)

Whereas:

- The 1.387 Geographical Indications (GIs) for foodstuffs –PDO and PGI registered by the European Commission (EC)- are collective intellectual property rights.
- Several hundred GIs are still undergoing the registration procedure in the Member States or by the EC, and other are likely to follow.
- GIs recognise and protect products whose specificities are at least in part due to their territories of origin, with their inherent natural and human factors. Moreover these GIs represent a whole section of European agricultural and food culture.
- The misuse, imitation and evocation of GIs in international trade are increasing, to the detriment of both consumers and certified producers. These abuses endanger the overall economic sustainability of GI sector as well as local communities.
- The European GIs represent an annual turnover of at least 60 billion euros of which 15 billion represent food GIs.
- The total value of GIs products exported outside EU is estimated at €15 billion of which €1,5 billion represent food GIs.
- 15% of GIs are no longer linked to an existing production.
- Each trade agreement includes a list of food GIs negotiated by the EC.

#### **1/ AREPO opposes the principle of an *a priori* restricted list of GIs**

**AREPO reaffirms that all GIs (PGI and PDO) registered by the EC have the right to be protected in all bilateral, multilateral and international trade agreements signed by the EU.**

All GIs have gone through a strict and long process of technical definition and administrative validation. The 1.387 registered European food GIs **are inalienable rights** of collective intellectual property recognized by the European regulatory framework.

**Therefore, AREPO opposes the strategy adopted by European negotiators to propose an *a priori* restricted list of European GIs in the international trade negotiations.**

#### **2/ AREPO calls for an exhaustive consultation of the European GIs**

AREPO questions the openness and transparency of the process that led to the drafting of the restricted GIs lists. There is a significant number of GIs with commercial interests in expanding to the markets of the third countries undergoing trade negotiations with the EU. Nevertheless, not all these GIs are included in the lists negotiated by the EC. AREPO argues that they should all be included.

We are aware that around 15% of registered GIs is no longer linked to an existing production and that such GIs could be phased out with an internal EU revision.



In any case, if the conclusion of negotiations between the EU and its trade partners should lead to the definition of *a posteriori* restricted lists of GIs, **the number of selected GIs should not be the result of a random process and the included names should be selected through a concerted decision.**

**The EC should therefore systematically starts a comprehensive consultation of the European GIs assessing their willingness and need to be protected under the commercial agreements.**

**3/ AREPO highlights the importance to keep the inscription to the bilateral register(s) open to GIs registered after the entry into force of the relevant trade agreement(s)**

As a result of the EU enlargement process, new GIs will be registered in the coming years. In addition, European food and agricultural potential is in constant development. Beyond one or more generations, new GIs will be registered as long as new products become tradition and heritage of European regions.

**Therefore, AREPO considers extremely important that the registration process in the eventual bilateral registers remains open to future GIs. This is valid for all bilateral, multilateral and international trade agreements signed by the EU.**

**Even if the EC asserts that these registers are open to further registrations, no formal procedure has been presented yet to assure this possibility.**

**4/ In order to assure the respect of intellectual property rights, AREPO requests that GIs that are not included in the bilateral registers within a trade agreement are protected from copies and counterfeits.** This demand is important for GI producers but also for consumers of third countries.

To this end, AREPO calls for the creation of an effective, simple and transparent multilateral system for the protection of geographical indications, in the interest of both producers and consumers.

AREPO advocates the improvement of the transparency of internet governance including all the relevant stakeholders to ensure an effective protection of GIs as an intellectual property right. This would be particularly important concerning the management of the ICANN system for assigning domain names.

**5/ Regarding GIs guaranteeing the protection of non-food products, AREPO demands that US stops using the names of 17 European GIs for wine wrongly considered semi-generic.**

The following 17 European GIs considered semi-generic by US -*Burgundy, Chablis, Champagne, Chianti, Claret, Haut-Sauterne, Hock, Madeira, Malaga, Marsala, Moselle, Port, Retsina, Rhine, Sauterne, Jérez-Xérès-Sherry and Tokaj* – should receive full protection including the prohibition of using expression such as “like”, “type” etc.