Geographical Indications for wine, spirit drinks and agricultural products

2022/0089(COD) - 31/03/2022 - Legislative proposal

PURPOSE: to revise the system of geographical indications (GIs) for wines, spirit drinks and agricultural products with a view to facilitating the adoption of GIs throughout the Union as intellectual property instruments accessible to all farmers and producers of products, linked by characteristics or reputation, and to their place of production.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: Geographical indications (GIs) identify products that have qualities, characteristics or a reputation due to natural and human factors linked to their place of origin. They constitute an intellectual property right (IPR) designed to promote fair competition between producers by preventing bad faith uses of a name and fraudulent and deceptive practices. Today, the EU register of geographical indications contains almost 3 500 names of wines, spirit drinks, agricultural products and foodstuffs.

An evaluation published in December 2021 showed that the existing framework is effective and provides clear EU added value. However, it highlighted **certain limitations**, such as the low level of consumer awareness and understanding of GIs in some Member States, as well as the low level of enforcement of the legislation. It also pointed out that environmental sustainability and animal welfare could be taken into account more. Furthermore, the length and complexity of the registration and amendment procedures, both at national and EU level, are seen as the main nuisance for producers and source of administrative burden.

Therefore, the proposal meets the following general objectives: (i) to ensure effective IPR protection in the Union, including efficient registration processes, in order to reward producers fairly for their efforts; (ii) to increase the use of GIs throughout the Union for the benefit of the rural economy.

CONTENT: the proposal for the revision of the GI system consists of a set of rules designed to **put in place a coherent system for GIs** aimed at assisting producers to better communicate the qualities, characteristics and attributes of their GI products, and at ensuring appropriate consumer information. Moreover, the proposal clarifies and improves the **traditional speciality guarantee** (TSG) scheme while it makes no changes to the scheme for optional quality terms.

The proposal has the following specific objectives:

(1) **improve the enforcement of GI rules to better protect IPR and better protect GIs on the internet**, including against bad faith registrations and fraudulent and deceptive practices, and uses in the domain name system, and combat counterfeiting;

(2) **streamline and clarify the legal framework** to simplify and harmonise the procedures for application for registration of new names and amendments to product specifications. The different technical and procedural rules for geographical indications would be merged, resulting in a single simplified GI registration procedure for EU and third country applicants;

(3) **contribute to making the Union food system more sustainable** by integrating specific sustainability criteria. As a direct follow-up to the Farm to Table strategy, producers could highlight their actions in the field of social, environmental or economic sustainability in their specifications by setting the corresponding requirements;

(4) **empower producers and producer groups to better manage their GI assets** and encourage the development of structures and partnerships within the food supply chain. Member States should recognise GI producer groups at their request. Recognised groups would be empowered to manage, enforce and develop their GI, including access to anti-counterfeiting authorities and customs services in all Member States;

(5) **increase correct market perception and consumer awareness of the GI policy and Union symbols** to enable consumers to make informed purchasing choices. It is foreseen to make the use of EU symbols or indications on the packaging of products with a geographical indication obligatory in order to increase consumer awareness of this category of products and the related guarantees, and to facilitate the identification of these products on the market, thus facilitating controls;

(6) **safeguard the protection of traditional food names** to better valorise and preserve traditional products and production methods.

As regards the reduction of administrative burden, the proposal provides for technical assistance in the registration procedure by an existing EU agency and full exploitation of digital tools. **The European Union Intellectual Property Office (EUIPO) will provide technical support** in the monitoring process to help speed up procedures.

The new domain name information and alert system to be established by EUIPO will provide GI applicants with an additional digital tool as part of the application process to better protect and enforce their GI rights.