

Application of Geographical Indications for Branding Local Agricultural Products



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GI in the EU

PDO(AOP) Protected Designation of Origin From AOC	PGI (IGP) (Protected Geographical Indication) From Labelle rouge and vin de Pays
<ul style="list-style-type: none">▪ The product originates in a certain region, specific place or country.▪ The quality or characteristics of the product are essentially due to a particular geographical environment with its inherent natural and human factors.▪ The production , processing and preparation of the product take place in the defined geographical area.	<ul style="list-style-type: none">▪ The product originates in a certain region, specific place or country.▪ The product possesses a specific quality, reputation or other characteristics attributable to that geographical origin▪ The production and/or processing and/or preparation of the product takes place in the defined geographical area.
<p>PDO</p> 	<p>PGI</p> 

Basic Concept of GI system of the EU

Basic Idea

- Characteristics of agricultural products reflect from the terroir which consist of the natural conditions and human factors in its region.
- At most use of the power of the nature (potentiality) of the region and production in natural way as far as possible, such as, without adding chemical substances.

Legal system of production and protection

- Demarcation of the producing region
- Specification of production based on producers opinions
- Control by the third party in terms of quality and regulatory control
- High protection of the name of GI

Common right of producers in the region

Reputation based on high quality should be developed by the collective efforts of producers in the region.

The above is originated in French AOC system which has been developed from 1889 to 1935

Basic Notion of GI in Europe(EU)

Law on Appellation of Origin of 1935

(Article 21)

The controlled appellation of origin(AOC) is introduced as a type of appellations of origin. The National Committee decides **conditions (specification) related to the production on the basis of producers opinions**, which is to be applied to wine or spirits. These conditions consist of those on demarcation of region, grape varieties to be used, maximum yield of grapes par hector, minimum alcohol content of wine.

The wine **shall be produced in the natural way, not adding anything**, in the process of the cultivation of grapes, vinification and distillation.

In the case of being inconsistent to these conditions, **no one could place the product on the market by using the name of the AOC.**

Later on the AOC Law has been applied to all agricultural products and foods.

Different Types of GI in the world

Legal System of GI in the World

Countries which adopt GI protection as an independent intellectual property right (sui generis)

EU 28, Japan, India, Malaysia, Argentina, etc.

Countries which adopt GI as an independent IPR in the IPR Law (Sui generis)

Thailand, Vietnam, Mexico, Andes Community (Bolivia, Colombia, Ecuador, Peru), Brazil, Russia

Countries which adopt both sui generis system and trade mark system

China, Korea, Switzerland

Countries which adopt the trade mark system

U.S.A. Australia, Canada, NZ

Particular provisions of the EU regulation

High level of protection

a) Prohibition of exploiting the reputation

b) Additional protection

Any misuse, imitation, **or evocation**, even if the true origin of the products is indicated or if the protected name is translated or accompanied by an expression such as **as style , type, method as produced in imitation or similar** including when those products are as an ingredient.

c) Prohibition of any other false misleading indications

d) Prohibition of any other practices of misleading the true of origin

Coexistence of GIs and trade marks

Even if the prior trade mark exists, the registration of AOP or IGP would be possible, except for the following case.

Case where, in the light of a trade mark's reputation and renown and length of time, it has been used, registration of the name proposed as the designation of origin or geographical indication would be **liable to mislead the consumer as the true identity of the products.**

Production and prices of GI products in EU

Source: EU Commission 2010

Prices of GI products Compared to those of standard products	2.23 times	Value of production of GI products(Farm gate prices)	54.3 billion euros	5.7% of total production in EU countries
wine	2.75	wine	30.0	
spirits	2.57	Agricultural products and food	15.0	
Agricultural and food products	1.55	spirits	8.0	
meat products	1.80	Aromatized wine	1.0	
Cheese	1.59			
Fruits and vegetables	1.29			
fish	1.16	Export of GI products	11.5	15%

Number of Registered GIs in the EU

Number of registered AOP and IGP in EU

Source: EU Commission

Agricultural products and food

		Number of GIs by Country						
Country		Italy	France	Spain	Portugal	Greece	Germany	
AOP	507	140	81	79	58	65	29	
IGP	471	83	102	66	58	23		
Total	978	223	183	145	116	88		

Wine

	Italy	France	Spain	Germany	UK	EU Total
AOP	402	375	90	13	2	1,121
IGP	119	75	41	26	2	439
Total	521	432	131	39	4	1,560



GIs in developing countries

Number of registered GIs in developing countries

	Agricultural products Food	Industrial products	Foreign products	Total
China	NA	NA	NA	3216
Korea	188	10	8	206
India	42	112	4	158
Thailand	26	9	7	42
Vietnam	23	1	3	27
Malaysia	16	0	4	20

Japan International Association for the protection of intellectual property rights 2012

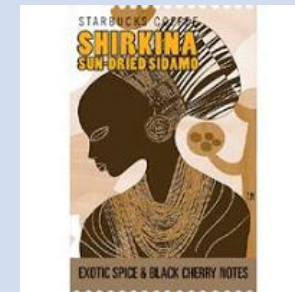
Basmati rice



Thai Jasmin rice



Sidamo cofee



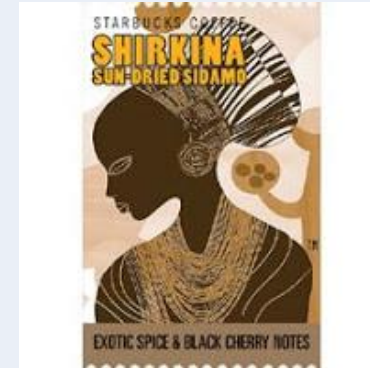
Some of them are in difficulties for protection of GI names in the world

Ex、 Thai Hom Mali(Jasmin), Basmati, Sidamo, Darjeering

Darjeering



Sidamo



Ethiopia

Jasmin rice



Thailand

Pursuing Japan's agriculture on the basis of GI principles, aiming at

- Higher value of products of Japan, through the segregation(branding).
- Survival of Japan's agriculture and its revitalization, coping with the further globalization of trade.
 - TPP, FTA with the EU are about to be concluded.
- Development of regional economies and its vitality
- Increase of export of products and services, in association with Japanese cuisine.
- Finally, be a country rich of varieties of food, higher quality and safer food.

- 日本には地域のブランド農産物・食品が豊富
 - これらの中から、地理的表示になりうるものを選択し、品質をより高め、管理と保護を充実し、名声を高めていく。
 - また、従来、産地の価値を重視してこなかった米、食肉加工品などについては、地理的表示の思想に基づき生産を強化し、地域のブランド産物として育てていく。
-
- Regional brands of agricultural products and food are quite rich in Japan. Through the selection of these products to be developed under the GI system, higher quality, better management and protection and higher reputation should be pursued.
 - For the products which have not been produced as regional brand, such as rice , processed meat, value of the region should be added by the production of the principles of GI.

Rice production toward GI

Rice production based on variety oriented for many centuries.

High yield and tolerant against cooler climate

Government purchase and distribution, In particular, ration system

Single standard rice has been preferred.

After the over production, shift to tasty and high quality rice.

However, the traditional way of rice production still remains .

In coming years various types of rice, with different prices should be pursued.

such as, high quality and tasty rice, rice for susi, rice for sake, rice for feed, rice for foreign cuisine.

In the course of these efforts, value of region should be added on the basis of GI production principle.

It will take many years

Drastic change of structure of rice production is needed.

Reputation of Japan rice as high quality, good taste and safe would be recognized.

Takachiho Terraced Paddy



Rice produced in the region



Wagyu (和牛)

Since about 20 years, Wagyu has received a remarkable good reputation on its taste all over the world.

Several countries have been using the name of “Wagyu” for their domestic market and overseas market.

“OOO county’ s Wagyu Kobe Beef Style”

Need to register Wagyu as GI as early as possible to protect the name of Wagyu.

Identification of Wagyu in Japan is possible with the registration system of 4 species of Wagyu, registration of individual identification number and traceability system.

Possibility of opposition of some foreign countries

About 100 years ago France started efforts of protecting the name of champagne, which ended up successfully in recent years.

Matsuzaka Beef



Mie

Export of Wagyu has been increasing in recent years, reaching to 7 billion yen /year. The potential value of the name of “Wagyu” may be higher than that of the tariff.

Regional Brand Beef

Regional Brand Beef

Japan certain number of regional brand beef (Wagyu) exist.
Many of them have been registered as regional collective trade mark.
Ex: Hida-Gyu, Matsuzaka-Gyu, Kobe-Gyu, Omi-Gyu,
Tajima-Ushi, Isigaki-Gyu, Yonezawa-Gyu.

In view of preventing the use, such as “ Kobe beef style”, “ Wasyu Gyu (和州牛) in overseas market, and effective protection of the name inside of Japan,
Some of regional collective trade marks will be replaced by GI, which is allowed in the new law ,in condition of the consent of the owner of the trademark.

Taste and quality could be improved to those suitable to foreign consumers.

Since very ancient years, Japan cows have been raised as drougt animal in each countries of Japan.

Yonezawa Beef



Yamagata Prefecture

Regional Collective Trademark

- One of types of trade mark , enforced in 2006
- Relaxed requirements are applied to promote regional brands
Well known among consumers over adjacent prefectures
- Name is consist of region's name and product's (service) name
Kobe+ Beef, Uji + Cha(tea), Echizen +Gani(crab)
- Legal associations are eligible to apply to the registration
Agricultural cooperatives, Fisheries cooperatives, Business cooperatives, Business associations, NPOs
- **The collective regional trademarks are not regarded as the system to protect GIs.**

Agricultural Fisheries and Forestry products	Processed food	Cakes	Noodle	Alcohol Beverage	Industrial products	Hot spring	Others
170	48	9	8	11	187	39	6

As of June 2011

Registered regional collective trademarks

Examples

Hinai-Jidori, Hida-Gyu, Matsuzaka-Gyu, Kobe-Gyu, Oumi-Gyu, Tajima-Ushi, Isigaki-Gyu, Yonezawa-Gyu, Uji-Cha, Yame-Cha, Ethizen-Gani, Gujyo-Ayu, Seki-Aji, Nagasaki-Kasutera

Registered trademarks

Examples

Ibo-no-Ito(somen), Nagoya-Kotchin, Yubari-Melon, Miwa-Somen, Utsunomiya-Gyoza, Inaniwa-Udon

Processed Meat

- At the moment, only standard processed swine meat is supplied by Japanese producers. Consumers is not able to enjoy the high quality and variety of processed meat like Italy and Germany.

This standard processed meat is mainly made of imported ingredient with reasonable prices. So, the quality is mediocre. Variety of products is poor.

- The reason of that may be the history of Japan not eating meat of animals until the Meiji period (from 1868).

-Recent years, the production of high quality ham and sausages using Japanese pigs as ingredient has been observed in small producers in country side.

- The Production of processed swine meat, which is produced based on GI principles would be possible in view of increasing the quality and its value.

However, it takes years to be eligible for the registration as GI.

Maturation of ham



Akita Yamagami Foods

In china, very renown ham “Kinka Ham(金華火腿、one of the world greatest hams, 1 million legs), and (威寧火腿)、(安福火腿)、(雲南ham)

Natural Cheese

In 1960's the consumption of natural cheese started in Japan.

In 2014, the direct consumption of natural cheese account to 180,000 tonnes which is over the processed cheese (120,000).

Along with this trend, natural cheese produced on the basis of GI principle has been increasing . This type of cheese is mainly produced by fermier style factories in regions. Some big dairly companies also have participated in.

The quality of this type of cheese has been improved remarkably, which is almost equivalent to Europe.

Number of companies producing natural cheese in Japan	91
Fermier style factories	52
	(In Hokkaido 28)

Camenbert



Mozzarella



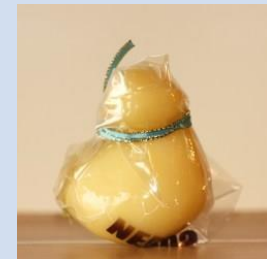
Wash



Semi hard



Hard



Hokkaido Tokachi

Poultry

In Japan 4 categories of poultry exist.

Broiler, Brand poultry, Jidori, Old hens

The quality of Japan's broiler and safety are at high level.

There are many brand broilers according to regions(about 70). Some of them have been registered as trade mark.

Trade mark

Nagoya Kochin

Regional Collective trade mark Hinai Jidori, Hakata Jidori

At the moment, the characteristics and specifications are not clear for consumers.

Selected brand poultry would be registered as GI, which have a function of leading brand poultry to higher quality.

Nagoya ko-chin



Aichi

Hinai Jidori



Akita

Kuro Satsuma Dori



Kagoshima

Fruit

Yamagata Sakurannbo (Cherries)



Aomori Ringo (Apple)



Ichida Gaki



Nagano

Fruit

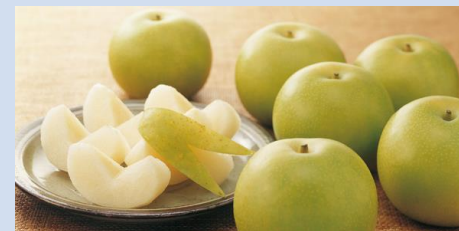
Arita-Mikan



Fukusima- Momo



Tottori 20th century Pear



Nannko-Ume



Vegetables

Shogoinn Daikon



Kyoto

Miura Daikon



Kanagawa

Simonida Negi



Gunma

Sakurajima Daikon



Kagoshima

Vegetables

Goro Kintoki



Ishikawa

Naruto Kintoki



Tokushima

Sennshu Mizunasu



Osaka

Hida Akakabu Zuke



Gifu

Others

Edomae Susi (Generic name ?)



Kabura Susi



Ishikawa

Funa Susi



Shiga

Saba Susi



Kyoto

Kakinoha Susi



Nara

Others

Noodle

Inaniwa Udon



Akita

Miwa Somen



Nara

Ibonoito



Hyogo

Japan Wine



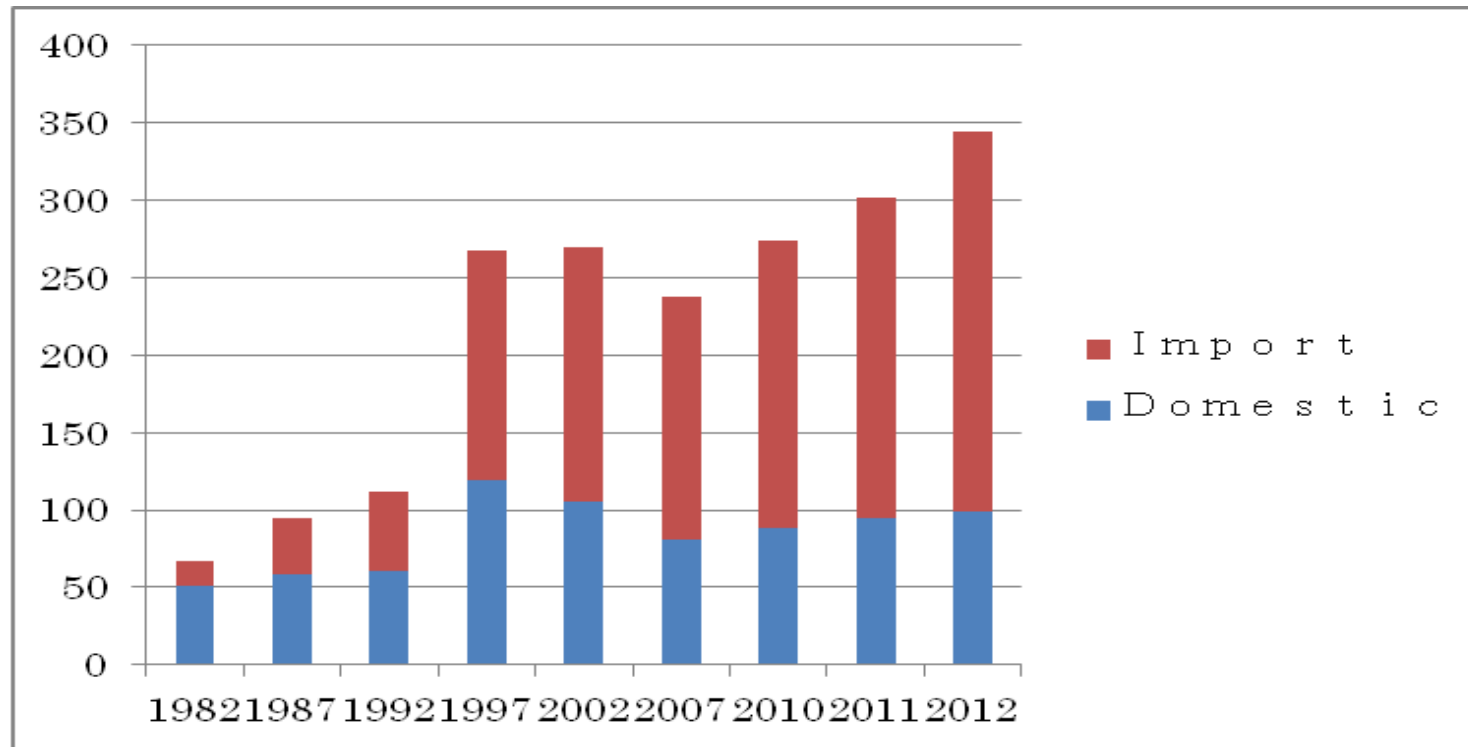
Japan Wine 日本ワイン

- 1980年代に日本のブドウでワインを造ることを疑問視する意見もあったが、ワインはブドウづくりを切り離してはよいものがないとのGIの思想で日本ワインが生産されてきた。
- その後、日本のブドウでつくられる日本ワインの品質が急速に良くなり、現在、日本ワインブーム。
- しかし、日本でのつくられるブドウが足りず、日本ワインは全体の消費量の5%ほどしかない。
- 産地が形成されてきており、地理的表示産地が増加する動きとなっている。
- 財務省は、今年中に、ワインの表示の制度化および地理的表示の要件などについて告示で詳細を定める方向で検討中
- In 1980s, some doubt on producing wine by Japanese grapes existed, because of unfavorable conditions in Japan. However, Japan wine continued to be produced on the conviction that good wine could not be produced without grape production in Japan(Principle of production of GI).
- Accordingly, quality of Japan wine has been remarkably improved. At the moment, Japan wine boom.
- However, shortage of grape production is observed. Therefore, Japan wine is only about 5% in the total consumption.
- Wine regions have been formed. It is expected that wine GI regions would be designated.
- National tax Agency is conducting studies in view of legislation of labelling standard and precise GI requirements for wine.

Japan wine

Supply (Consumption) of wine in Japan

1000KL



Wine production and consumption in Japan

Source : National Tax Agency

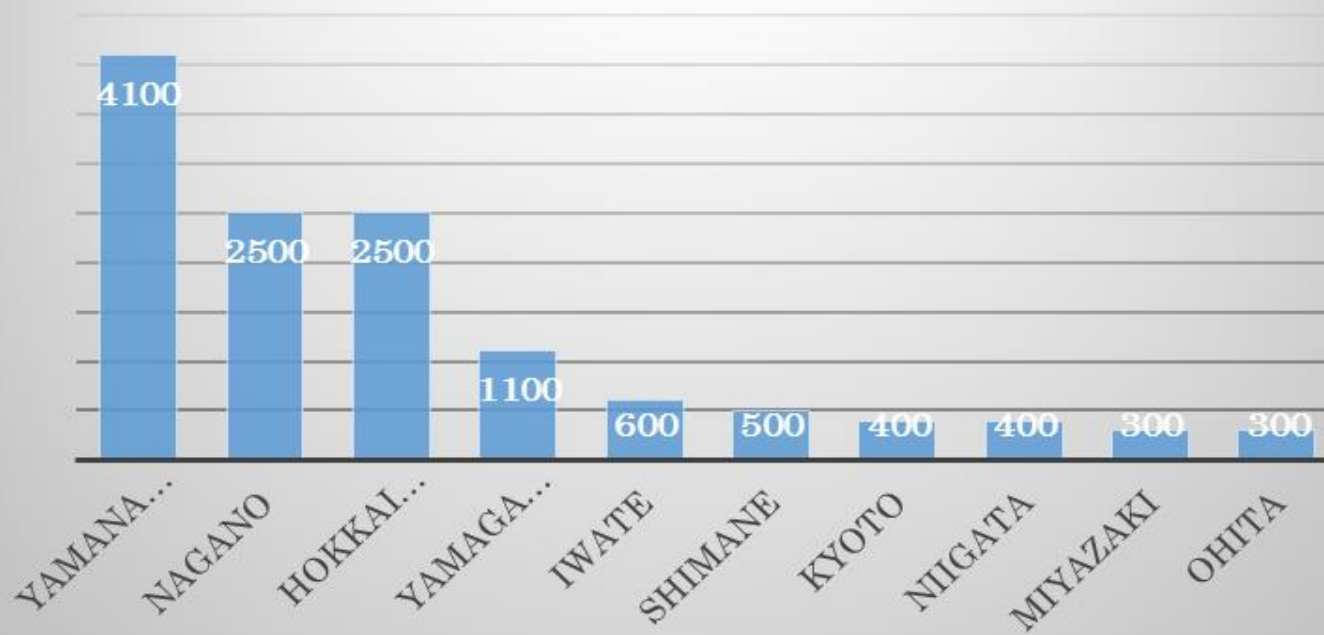
Quantity of wine KHL		Type of wine	Share	Type of producers
Wine produced in Japan (Domestic Wine) 990	Wine produced by grapes grown in Japan (Japan wine) 178	Quality wine Medium wine	5.2%	Large, Medium and small size wineries
	Wine produced by imported juice 812	Ordinary wine	23.6 %	Mainly large size wineries
Imported wine 2,450		Ordinary wine Quality wine	71.2 %	Large, Medium and small size importers
Total 3,440			100.%	

Wine Production in Japan

	2007	2010	2011	2012
Japan wine	222	201	179	178
Wine from imported juice	588	679	771	812
Total (Domestic wine)	810	880	950	990

Production of Japan wine by prefecture

Source: Japan Sommelier Association



Share of wine grapes in Japan

Source: Ministry of agriculture

1 Traditional Japanese varieties	(30.4%)
Koshu (white)、 Muscat Bailey A(red) (19.7%) (10.7)	
2 Vinifera varieties Red	(15.0%)
Merlot、 Cabernet Sauvignon、 Pinot Noir、 Cabernet Franc、 Zweigeltrebe (8.2%) (3.1) (0.8) (0.9) (1.9)	
3 Vinifera varieties White	(12.2%)
Chardonnay、 Kerner、 Muller-Thurgau、 Sauvignon Blanc、 Riesling (7.3%) (2.8) (1.2) (0.4) (0.5)	
4 Labrusca varieties	(18.9%)
Concord(red)、 Niagara (white)、 Delaware (white) (13.7%) (3.8) (1.4)	
5 Other (Varieties other than those listed in the above 1 to 4)	(23.5%)

Wine Regions in East and North parts of Japan

Wine regions	Number of wineries	Wine regions	Number of wineries
Yamanashi	80	Hokkaido	27
Chikuma Gawa Valley	10	Japan Alps Valley	4
Kikyo Gahara Valley	9	Niigata	8
Yamagata Mogami Gawa	14		
Total			152
Japan Total			about 200