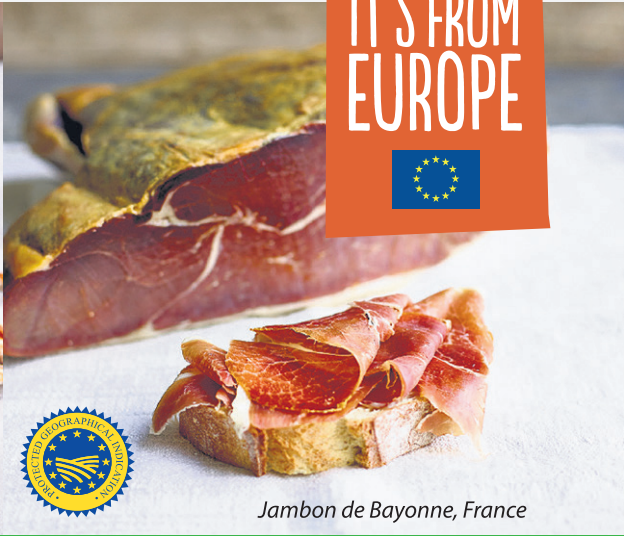




Geographical Indications: Key to success of the EU-Singapore Free Trade Agreement (EUSFTA)



What are Geographical Indications (GIs)?

In order to protect its food traditions and heritage, the EU has created quality schemes like Geographical Indications (GIs). A GI is a name used to identify a product as originating in the territory of a particular country, region or locality, where its quality, reputation and other characteristics are linked to its geographical origin.

GIs allow consumers to identify the geographical origin of a product, whose quality, reputation and special features are linked to the area it is from.

The EU quality policy on GIs aims to legally protect the names of specific products to promote their unique characteristics, linked to their geographical origin. The EU policy on GIs tries to preserve centuries of tradition, cultural heritage and know-how. The EU GI schemes encourage diversification of agricultural products, protect product names from imitation and reinforce consumer information on the unique character of these products.

Product names are granted with a 'geographical indication' label if they

can prove they have a specific link to the place where they are made.

The EU's GI logo means that the food product in question has been produced with care and deep respect for history - that it is a product of true excellence, thanks to the unique characteristics from its local region of production.

The GI recognition enables consumers to trust and distinguish quality products while also helping producers market their products better. Common examples of European GIs include Cognac from France, Chianti wine from Italy, Jabugo ham from Spain as well as Feta cheese from Greece. As part of the EU's system of Intellectual Property Rights (IPR), names of products registered as GIs are legally protected against imitation and misuse within the EU and in non-EU countries where a specific protection agreement has been signed.

The European quality schemes for geographical indications currently cover about 3,400 products: wines, cheeses, cold meats, fruit and

vegetables, traditional specialties, liqueurs and more. Climate diversity in Europe contributes to a diverse range of geographical identities: the choice is vast. Under these schemes, products bear quality marks that enhance their prestige. Consumers can easily recognise these products, thanks to their logos, while their names are protected from imitation, faking or fraud. GI protection aims to safeguard both the interests of consumers and producers.

- GIs:
- **protect farmers' and producers' rights;**
 - **guarantee authenticity to consumers; and**
 - **protect local value at a global level.**

Phil Hogan, EU Commissioner for Agriculture and Rural Development: "Good food means good business, and GIs are living proof. EU GI products correspond to around 15% of EU food and drink exports, about 16 billion EUR a year."



GIs and International Trade

As well as protecting products within its own borders, the European Union takes many steps at an international level to protect product authenticity and ensure that European quality products are recognised throughout the world. Such products are often imitated outside the EU in order to benefit from the quality and reputation of EU food products.

‘Φέτα’ Feta cheese is a good illustration. Feta is a cheese whose recipe and production method reflect the unique terrain of Greece. The particular flavours of Feta are only possible when sheep and goats are grazed on the unique flora of Greece. Nevertheless, fake Feta cheese is being produced and marketed in countries other than Greece. Fake products cost producers a great deal of money. This is important, as products with a geographical indication account for 15% of EU agricultural exports.

In this context, the EU has concluded a series of trade agreements that contain important levels of protection for geographical indications, including with Canada, Japan, Korea, Vietnam and Singapore. For instance, the recent EU-Japan Economic Partnership Agreement that entered into force in February 2019 provides protection to 211 EU GIs in Japan.

GIs and the EUSFTA

- During the negotiations of the EUSFTA, the EU and Singapore agreed that protection of EU GIs in Singapore was a key issue to allow EUSFTA's entry into force.
- The EUSFTA mandates the establishment of systems for the registration and protection of GIs for wines and spirits, agricultural products and foodstuffs by each party, (i.e. the EU and Singapore). The key articles of the EUSFTA related to GIs cover registration, the scope of protection, and the relationship to trademarks, as well as a list of GIs to be prioritised for registration. Singapore will also introduce measures allowing customs to suspend the release of suspected counterfeit geographical indications goods at the border after the entry into force of the EUSFTA.
- As part of Singapore's commitments under the EU-Singapore FTA, Singapore has enhanced its existing GI protection regime. The Geographical Indications Act 2014 and GI rules came into operation on 1 April 2019. On the same day, Singapore opened the GI Registry for the protection of GIs. The Registry includes procedures for examination, objection and cancellation of a GI. Since 1 April 2019, EU GI holders, as well as any other GI producers in the world, are therefore able to apply to register their GIs in Singapore. Once a GI is registered, it is protected for 10 years. The registration may be renewed upon its expiry. As of July 2019, about 140 GI applications have

been submitted to the Intellectual Property Office of Singapore (IPOS) and more than 50 EU GIs have been already registered. Once registered, GIs enjoy enhanced protection to strengthen consumers' recognition of authentic quality EU food products, wines and spirits in Singapore. The Registry of protected GIs in Singapore is therefore going to offer protection for distinctive regional food and drink products from the EU and ensure that consumers get the genuine article – not imitations.

• In the text of the EUSFTA, there are also several provisions in relation to GIs and trademarks. Similar to the trademark registration system existing in Singapore, opponents can also contest GI applications for various reasons, such as a name having become generic in Singapore.

• Protection of EU cheese GI names, like ‘Φέτα’ Feta cheese, is sometimes opposed on the grounds that this specific name is already used by cheese producers in various countries outside the geographical area of production (in this case Greece) and that, therefore, the name should be considered generic. However, pursuant to the intellectual property principle of territoriality, the potential genericness of a GI name has to be assessed solely in respect of the national territory at stake. Allegations regarding the hypothetical genericness of a GI term in the territories of other countries are irrelevant. In the case of Singapore, the GI name ‘Φέτα’ Feta cheese cannot be considered as generic.

The EU-Singapore FTA and agri-food trade Singapore

Today, Singapore is the EU's 5th largest agri-food export market in Asia and its 15th worldwide

€ 2.4 BILLION

Value of EU food and drink exports to Singapore in 2018

