

Conclusion

GI systems all around the world are the results of a complex process of relationships (both formal and informal) among various types of stakeholder and actor (private and public, local and outside the zone in question) that have led to formal sets of common rules regarding the main aspects of origin-linked quality: not only production systems, requirements and control schemes, but also ways of using local resources and protecting against misappropriation of the name. The process has the goal of enhancing the value of products that originate in specific geographical zones and have been produced thanks to specific human skills and knowledge and specific natural resources, thus preserving profitable production systems for future generations. In other words, formalization of the relationships among the various actors should protect GI production systems from market pressure and boost local development in rural zones in environmental, social and cultural terms. The sustainability of GI systems is the result of a whole series of processes, including particularly identification of the potential of the origin-linked product and of the stakeholders' motivation (the identification phase), definition of common rules to manage the GI system and its local resources (the qualification phase) and adoption of joint strategies to improve marketing (the remuneration phase). Producers and local inhabitants can benefit from features of the local environment and their cultural heritage without compromising their future, thanks to practices that should be enhanced (the reproduction phase). Such action should generate economic opportunities and improve the quality of life. The establishment and management of GI systems requires a delicate balance among the three pillars of sustainable development, while taking the motivations of the various stakeholders into account. Achieving such a balance is not an easy task, for the collective interest and community welfare are affected not only by actions dictated by "quality rules", but also by the adoption of joint strategies (for the use of local resources and for marketing) and by the activities of various socio-economic networks (both those of the GI system and others). In order to achieve the final objective of creating a sustainable GI system through the virtuous circle of origin-linked specific quality, the importance of taking advantage of the knowledge, perspective, determination and time of certain facilitators should be remembered. These facilitators may be public bodies (local, regional or national), NGOs or other institutions that facilitate the understanding and dissemination of methodologies and the development of approaches that have proved of value in many cases of successful GI processes. In this perspective, the present guide synthesizes the various factors involved in the establishment, management and development of sustainable GI systems. It is hoped that it will suggest an "ideal" way forward for GI stakeholders, together with a set of questions that will help them to recognize, manage and develop their own GI products in their specific socio-environmental contexts.

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5) Web site: International institutions and research units:

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CNRS: www.ethno-terroirs.cnrs.fr

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FAO Quality linked to geographical origin: www.foodquality-origin.org/eng/index.html

FAO Food safety and quality service: www.fao.org/ag/agn/agns/index_en.asp

FAO Rural infrastructure and agro-industries division: www.fao.org/ag/ags/

The International Centre for Trade and Sustainable Development (ICTSD):
www.ictsd.org
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Ministry of Agriculture and Fisheries, France: www.agriculture.gouv.fr

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Parma University, Economics Department: www.unipr.it/

ORIGIN: www.origin-gi.com

SouthEastern European Development Organisation (SEDEV): sedev.org/

SINERGI Research Project: www.origin-food.org

SLOW FOOD: www.slowfood.org

United Nations Conference on Trade and Development (UNCTAD):
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WIPO (World Intellectual Property Organization / Appellations of Origin):
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WTO – TRIPS: www.wto.org/english/tratop_e/trips_e/gi_background_e.htm

Glossary

Accreditation

Independent third-party attestation by competent independent authorities that a certification body, a control body or a laboratory has provided formal demonstration of its competence to carry out specific conformity assessment tasks with a view to granting marks or certificates, or establishing relations, in a given field.

Actor: see “Stakeholder”.

Alliance: see “Partnership”.

Appellation of origin (AO)

“The geographical name of a country, region or locality that serves to designate a product originating therein, the quality and characteristics of which are due exclusively or essentially to the geographical environment, including natural and human factors” (Lisbon System). Appellation of origin was one of the earliest forms of GI recognition and protection (Paris Convention, 1883). Although mentioned in earlier treaties, the 26 contracting parties to the Lisbon System in 1958 first formally recognized the term “appellation of origin” as a form of GI by using a single registration procedure, effective for all the signatories.

Certification

A procedure by which a third party, the official certification body, provides written assurance that an organization system, a process, a person, a product or a service is in conformity with requirements specified in a standard or other frame of reference. In the case of GIs, the certifying body certifies that the GI product is in conformity with the relative code of practice. Certification may, if appropriate, be based on a range of activities: on-site inspection, auditing of quality assurance systems, examination of finished products etc.

Certification body

A body responsible for providing certification, sometimes referred to as the “certifier”, which may be public or private and is normally accredited and/or approved by a recognized authority.

Certification mark

Any word, name, symbol or device that signals certification of the characteristics of a product, which may include geographical origin. It conforms to specifications laid down by the owner and may apply to the place of origin and/or production methods. The mark requires some verification by a third party, which defines whether the attributes are present. Unlike trademarks, certification marks identify the nature and some

type of quality of the goods and affirm that these goods have met certain standards. Certification marks also differ from trademarks in three ways: first, a certification mark is not used by its owner; second, any entity that meets the certifying standards set by the owner is entitled to use the certification mark; and, third, it applies only to the product or service for which it is registered.

Code of practice (CoP) (or book of requirements, product specification, disciplinary document)

Document describing the specific attributes of the GI product in relation to its geographical origin through a description of the product and its manner of production, laying down requirements regarding not only modes of production but also those of processing, packaging, labelling etc., as applicable. Any party using the GI must meet the requirements laid down in the CoP, which is the outcome of a consensus among the stakeholders in the value chain concerned with the GI.

Collective/public good

A good that can be used simultaneously by several actors without any diminution of its attributes. Its use by an additional actor does not reduce that of the others (the principle of non-competition) and no individual can be prevented from using this good (the principle of non-exclusion). As an intellectual property right, a geographical indication can be considered a collective or public good. However, misuse by individuals or groups of the reputation linked to a geographical name threatens the value of the collective resource.

Collective mark (United States)

A mark used by the members of a cooperative, association or other group to identify their goods or services as having a connection to the collective mark and its standards. The collective mark may have a geographical identity and may advertise or promote goods produced by its members.

Collective (trade)mark (European Union)

Trademarks used by the members of a group to distinguish their product from that of non-members. A group that has the benefit of a registered “protected designation of origin” (PDO) or “protected geographical indication” (PGI) may also apply for a collective trademark for the name or graphic representation of its GI product. The PDO/PGI designation provides a protected indication of quality and relationship of origin that is separate from other intellectual property rights. Certain aspects of a PDO/PGI can therefore subsequently be marketed under a collective trademark, conferring additional protection via intellectual property rights. Conversely, a product or graphic representation that has been registered as a collective trademark cannot subsequently be registered as a PDO or a PGI, inasmuch as a GI cannot in general override an existing trademark.

Collective marketing

Occurring when individuals involved in commercial activities, for example small farmers, decide to form an organization to coordinate (and if necessary directly carry out) a number of marketing operations required to satisfy consumer demand. Local stakeholders can increase their income and efficiency by joining with other stakeholders to market their food products and benefit from collective action, for example to obtain a better bargaining position or a larger volume of sales. Collective marketing is commonly carried out by a collective organization (see definition of “Organization”).

Conformity assessment

Demonstration, through a systematic examination carried out by one party on the request of another, that specified requirements relating to a product, process, system, person or body are fulfilled. Such demonstration is based on a critical study of documents and other types of inspection or analysis, allowing verification that the specified requirements are being met.

Control plan

A specific, adaptable document that lays down how compliance with the various rules in the CoP is to be checked. It is a management tool identifying the control points constituting the critical stages in the production process and the means of verifying their conformity with CoP requirements.

Differentiation strategy

Voluntary development of a product or service offering unique attributes that are valued by consumers, who perceive them to be better than or different from competing products. A differentiation strategy is based on market segmentation and may be supported by a voluntary approach in order to obtain a specific certification or label (for example in connection with organic farming or traditional products).

Enforcement

The process by which a norm, or legislation in general, comes into legal force and effect. The rules collectively established for the GI product (the CoP) must be enforced against those misappropriating the GI. The producers of the GI can enforce these rules through a court or may themselves be given official standing by national authorities.

Free-rider

A person or group that benefits from a good or service without paying for it. In the case of GI products, the geographical name of the GI product may be used by certain stakeholders hoping to gain a benefit (for example a higher price) without contributing to the reputation (see “Reputation”) of the product or to any collective effort.

Generic

A term or sign is considered “generic” when it is so widely used that consumers see it as designating a class or category name for all goods or services of the same type, rather than as referring to a specific geographical origin.

Geographic(al) indication (GI)

The WTO 1994 Trade-Related Aspects of Intellectual Property Rights (TRIPs) Agreement states: “Geographical indications [...] identify a good as originating in the territory of a Member, or a region or locality in that territory, where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin” (art. 22.1). All WTO member countries have to establish basic provisions for the protection of GIs. The term “GI” can be used to distinguish the identification of a product’s origin and its link with particular characteristics and a reputation related to that origin. When GIs are legally registered they take such forms as AOs, PDOs and PGIs, depending on the categories defined in the various countries, and, as such, they become enforceable. The TRIPs Agreement does not provide any specific legal system of protection for GIs, leaving this task to member countries. If a member country has established a formal registration process to recognize GIs within its territory, then a product registered in this way can be referred to as a “protected GI”. However, a GI may exist without protection or without seeking protection, unless the name or product is considered generic. In certain situations, a collective mark or certification mark is the most effective legal protection for a GI.

Geographic(al) sign

A graphic symbol indicating a GI.

GI group

Group of stakeholders directly concerned with the product, acting as a representative group for all the stakeholders who pooled their efforts in order to elaborate the quality of the end product: producers, processors and agents linked with distribution and trade.

GI system

A system including all stakeholders and activities that contribute to the production of the GI product. A GI system thus includes the GI producers and the other stakeholders involved directly or indirectly in the value chain, including but not limited to public authorities, NGOs, research institutions, extension services and other institutions directly linked to the GI product (for example tourism activities in the production area).

Governance

Concept referring to the complex systems covering mechanisms, processes, relationships and institutions through which individuals and groups articulate their interests, exercise their rights and obligations, and mediate their differences.

Guarantee system

The mechanisms existing or implemented in order to ensure the existence of certain attributes and the compliance with certain specifications as mentioned in the CoP (assessable criteria and critical points, control plan: what is to be controlled, when and by whom, and the type of sanction), documentation (attestation) and information.

Indication of source or provenance

Any expression or sign used to indicate that a product or a service originates in a specific country, region or locality, without any other element of quality or reputation (Madrid Agreement, 1891, Art. 1.1; Paris Convention, 1883).

Inspection

A systematic examination to verify conformity with a specified standard, carried out by a public authority or a party invested with equivalent authority. "Inspection" also refers to verification carried out by stakeholders themselves: (1) self-inspection carried out by each stakeholder of his or her own practices (record-keeping); or (2) internal inspection carried out by the organization for each of its members.

Intellectual property rights (IPRs)

An umbrella legal term covering various legal entitlements attached to certain names, supports and inventions, written or recorded. The holders of these legal entitlements may exercise various exclusive rights in relation to the subject matter of the intellectual property. The adjective "intellectual" indicates that the term concerns creations of the mind, while the noun "property" indicates that the mind's production process is analogous to the construction of tangible objects. Intellectual property laws and their enforcement vary widely between one jurisdiction and another. There are intergovernmental efforts to harmonize them through international treaties, such as the 1994 WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs), while other treaties may facilitate registration in more than one jurisdiction at a time. GIs are recognized as intellectual property rights in the same way as patents, trademarks or software.

Interprofessional association/body

An organization bringing together upstream and downstream partners from the same value chain with the purpose of regulating the market for the product, participating in the implementation of agricultural policy provisions, analysing the implications of various contractual arrangements, encouraging improvement in performance along the chain and defending its collective interests.

Label

Any tag, brand, mark, pictorial or other descriptive matter, written, printed, stencilled, marked, embossed or impressed on, or attached to, a container of food.

Labelling

Any written, printed or graphic matter that is present on the label, accompanies the food or is displayed near the food, for the purpose of promoting its sale or disposal.

Management

The organization, coordination, control and monitoring of activities, resources and people in order to reach defined objectives. This is achieved by defining policies and programmes that allocate resources and responsibilities to processes and people. In

GI organizations, each member generally has managerial functions to carry out. In a GI system, appropriate management is a fundamental factor for the success of the GI process.

Mark

A term used interchangeably to indicate trademarks, collective marks and certification marks. Depending on the context, "mark" can refer to a regular trademark, a GI-related mark, a collective mark or a certification mark.

Market segmentation

The process of dividing the market into a number of homogeneous groups of consumers in order to implement targeted marketing strategies and actions.

Marketing

All the operations and tasks necessary to meet consumer demand. Marketing involves such operations as market research, handling, product quality and safety, packaging, branding, transport, and various decisions regarding sale itself (how, where and when). Differentiation labels, such as GI ones, can be an important part of marketing strategy. In GI organizations, marketing is carried out both by the organization itself (collective marketing) and by its individual members. It is therefore very important to decide how the collective marketing of the organization and the individual marketing operations of its members will be coordinated.

Marketing mix (operational marketing)

Practical definition at a given moment of how the marketing plan is to be implemented within the framework of the "4 P's" of product, price, place and promotion.

Marketing plan

A document describing the actions to be undertaken to achieve the marketing objectives according to the marketing strategy adopted. The marketing strategy is therefore put into practice with definition of the marketing leverages of product, price, placement and promotion.

Niche market

A market segment that addresses a need for a product or service not being met by mainstream suppliers. A niche market may be seen as a narrowly defined group of potential customers and usually develops when a potential demand for a product or service is not being met by any supply, or when a new demand arises as a result of changes in society, technology or the environment. Despite the fact that niche markets are of their nature very limited in volume as compared with the mainstream market (and hence do not have the benefit of an economy of scale), they may be very profitable, thanks to the advantages of specialization and of their focus on small and easily identified market segments.

Organization

General term denoting a group of stakeholders (producers, but non-producers may also be included) organized to share functions and/or resources and to provide services for its members, such as training, credit and insurance. Organizations are fairly common in the agrifood sector, where they are composed of such stakeholders as farmers, who join together to benefit from the group purchase of inputs, coordinate farming techniques, share know-how and in some cases market their produce. Organizations may take various forms, including partnerships, consortia and interprofessional associations (see related definitions).

Origin-linked product

A product in which a specific quality is essentially attributable to its geographical origin, as a result of a combination of unique climatic conditions, soil characteristics, local plant varieties or breeds, local know-how, historical or cultural practices, and traditional knowledge concerning the production and processing of certain products. The interaction among these elements (which constitute what is known as the terroir) confers specific characteristics that allow the product to be differentiated from other products in the same category.

Partnership

A cooperative agreement or alliance between independent economic units sharing certain objectives, combining their resources and expertise to reach these objectives in the interests of each participant. In the sphere of GIs, a strategic partnership can be established between producers and processors to coordinate production and marketing. A partnership entails collective bargaining and some form of collective organization.

Protected designation of origin (PDO) (European Union)

According to EC Regulation 510/2006, “‘designation of origin’ means the name of a region, a specific place or, in exceptional cases, a country, used to describe an agricultural product or a foodstuff (a) originating in that region, specific place or country, (b) the quality or characteristics of which are essentially or exclusively due to a particular geographical environment with its inherent natural and human factors, and (c) the production, processing and preparation of which take place in the defined geographical area.” Note that the acronyms “DO(C)” ([controlled] denomination or designation of origin) and “AOC” (controlled appellation of origin) correspond to designations of origin that existed in individual countries (France, Italy and Spain) prior to the European Union’s Regulation 2081/92.

Protected geographical indication (PGI) (European Union)

According to EC Regulation 510/2006, “‘geographical indication’ means the name of a region, a specific place or, in exceptional cases, a country, used to describe an agricultural product or a foodstuff (a) originating in that region, specific place or country, (b) which possesses a specific quality, reputation or other characteristics attributable to that geographical origin, and (c) the production and/or processing and/or preparation of which take place in the defined geographical area.”

Quality

“The totality of features and characteristics of a product or service that bear on its ability to satisfy stated or implied needs” (International ISO standard 8402).

Quality assurance

A set of activities implemented in the context of a “quality system” with the aim of demonstrating effective management of quality, bearing in mind the critical points identified, in order to ensure that a good or service meets all quality requirements and to instil a certain level of confidence among both customers and managers.

Reputation

Term referring to the recognition acquired by the GI product in the market and in society as the outcome of consumption history and traditions. In a general sense, “reputation” expresses what is commonly believed or stated about the abilities and/or qualities of a person or thing. In terms of trade, reputation denotes the renown and/or recognizable character of an enterprise and/or a product produced by this enterprise. Economic theory stresses the role that reputation can play in solving certain problems arising from information asymmetry between producers and consumers in high-end markets. In the case of origin-linked products, reputation is a factor that can lead to a higher price based on the recognized excellence and tradition of the product. Such a reputation often requires the use of legal instruments to protect the product name.

Specific quality

A set of characteristics associated with a good or service that is recognized as distinct from mainstream products, either in terms of composition, production methods or marketing of the product in question. These characteristics thus allow the product to be differentiated in the market on the basis of a voluntary approach and specification of the product on the part of economic actors and to the extent that the prerequisites regarding generic quality (or basic quality with regard to consumer protection and respect for the rules of the market) are assured.

Specifications: see “Code of practice”.

Stakeholder (or Actor)

In the value-creation process for origin-linked products, any person, group or organization with a direct or indirect stake in the outcome of the process, inasmuch as they can affect or be affected by its results. Local producers and their associations, companies involved in the value chain (processors, distributors, suppliers etc.), consumers, the government and any institution playing a part in the GI system are all key stakeholders.

Standard

A document established by consensus that provides, for common and repeated use, rules, guidelines or characteristics for activities or their results, guaranteeing an optimum degree of order in a given context. Standards are set up by various types

of organization to facilitate coordination among stakeholders and reduce uncertainty concerning the quality of a good or service. WTO defines a standard as a document approved by a recognized body, which provides, for common and repeated use, rules, guidelines or characteristics for products or related processes and production methods, with which compliance is not mandatory. It may also include or deal exclusively with terminology, symbols, packaging, marking or labelling requirements as they apply to a product, a process or a production method. Standards drawn up by the international standardization community are based on consensus.

Strategic marketing

Marketing that follows a strategy developed to reach consumers and hold its own against competitors. It entails a thorough analysis of consumers' needs and their typology ("segmentation" of the market) so that the product can be addressed to the most "appropriate" consumers (the "target" market).

Sui generis

Latin legal term meaning "of its own kind" and used to describe something that is unique or different. In law, it is a term used to describe a legal situation so unique as to preclude any classification into existing categories and require the creation of specific texts.

Sustainability

A term indicating an evolution that allows the preservation, maintenance and improvement of the quality of natural resources and the maintenance of environmental balance, with a view to managing them for the future. Sustainable development was defined in the Report of the Brundtland Commission (1987) as "a development that meets the needs of the present without compromising the ability of future generations to meet their own needs". For OECD (2001), sustainability is a resource-oriented, long-term, global concept. It is resource-oriented because we do not know what use future generations will make of the resources and in what economic activities they will engage. It is viewed as essentially goal-oriented, indicating that resources should be used in such a way that the entire capital (including its option value) is not reduced and an unbroken stream of benefits can be obtained.

Terroir

A delimited geographical space in which a human community has built up a collective intellectual or tacit production know-how in the course of history, based on a system of interactions between a physical and biological environment and a set of human factors, in which the sociotechnical trajectories brought into play reveal an originality, confer a typicality and engender a reputation for a product that originates in that *terroir*.

Traceability

Defined by the International Organization for Standardization (ISO) as "the ability to trace the history, application or location of that which is under consideration". In the case of GI products, a traceability system has varying degrees of complexity (depending on the decisions taken by stakeholders and/or the normative framework) and allows clear

identification of the various points in the origin and movement of the product and its raw materials all the way along the value chain until it reaches customers and consumers, including all the enterprises that have been involved in the production, processing and distribution process etc., to make sure that the CoP has been correctly applied and to intervene in the case of non-respect.

Trademark

In some countries, geographical indications can be protected as trademarks. Geographical terms or signs cannot be registered as trademarks if they are merely geographically descriptive or geographically misdescriptive. However, if a geographical sign is used in such a way as to identify the source of the goods or services, and if consumers have over time come to recognize it as identifying a particular company, manufacturer or group of producers, it no longer describes only the place of origin, but also the “source” of the uniqueness of the goods or services. At this point, the sign has thus acquired a “distinctive character” or “secondary meaning” and can therefore be trademarked.

TRIPs

The Trade-Related Aspects of Intellectual Property Rights (TRIPs) Agreement overseen by the World Trade Organization (WTO). Under this agreement, the national intellectual property legislation of WTO members must establish the minimum level of protection for these rights as defined in the 73 articles of the agreement.

Typicity

The typicity of an agricultural or food product is a characteristic belonging to a category of products that can be recognized by experts or connoisseurs on the basis of the specific attributes common to such products. Typicity expresses the possibility of distinguishing an origin-linked product from other similar or comparable products, and thus underlies the identity of the product. It includes a degree of internal variability within the category, but such variations do not compromise its identity. These properties of the category are described by a set of characteristics (technical, social, cultural) identified and defined by a human reference group, based on know-how distributed among the various stakeholders in the value chain: producers of raw materials, processors, regulators and consumers.

Value chain

A chain of activities through which a product (or a service) is produced and distributed to customers. A product goes through a series of processes and activities in the chain, at each stage gaining some value that is added to that from the previous steps.

Value creation process

A term used in this guide to indicate activation of a “quality virtuous circle” based on recognition of the values of an origin-linked product through the identification and development of its specific attributes. Four main stages in this virtuous circle have been identified: identification of resources (raising local awareness); product qualification; product remuneration; and the reproduction and enhancement of local resources.

Promoting the links between people, places, and agrifood products can be a tool for sustainable rural development in many rural communities of the world. In fact, origin-linked products show quality attributes linked to the geographical places and people as a result of specific local know how and natural resources, and over time, a collective reputation is being built, that is identified by a geographical indication (GI). The definition of this specific quality thanks to a code of practice and the collective management of the GI system are fundamental tools to identify and preserve natural and human resources thus enhancing economic, social and environmental effects.

The aim of this guide is to provide local stakeholders with a conceptual framework, concrete illustrations and methodologies for the promotion and preservation of quality products linked to geographical origin and for implementation of GIs. The guide proposes a four-step process in order to strengthen the origin-linked quality virtuous circle. The material presented in the guide derives from experiences of FAO and SinerGI in this field.

Identification of the links between the specific quality product and the local resources, **Qualification** with the code of practice and recognition of the GI as a collective territorial-based asset, **Remuneration** thanks to the marketing approaches and **Reproduction** of the local resources in a long term approach, are the key steps allowing for an economic, socio-cultural and environmental sustainability of the origin-linked production system.

