

## GEOGRAPHIC INDICATIONS

The Global Dairy Alliance opposes any moves to increase protection for GIs

### The Global Dairy Alliance Position

- Current rules for the protection of agriculture GIs are sufficient and working effectively
- Claims for increased GI protection go beyond the Doha Round mandate
- Efforts to increase protection confuse intellectual property rules with market access for agricultural products
- The push for more GI protection is creating uncertainty and confusion in the world dairy industry
- Further GI protection could restrict trade in cheeses long considered to be generic
- GDA members are among those who have created the brand value and reputation of potential GIs
- Increased GI protection would cause significant damage to producers, manufacturers and consumers for no obvious benefit in return
- More protection for GIs is an attempt to benefit specific producer groups at the expense of all other producers and consumers i.e. only the EU benefits
- Increased GI protection will cause difficulties in Customs administration

### What's the Issue?

The pressure for more protection of GIs only adds another intervention into international trade with no benefits to exporters, traders producers outside the country of protection and most importantly consumers. Indeed it can significantly restrict consumer choice.

Cheese names and types have been developed from a particular original source but have then been taken overseas by colonists and immigrants. Reserving the rights of GIs to the original producers does not recognise the contribution to marketing and development by other countries. It not only adds another intervention to trade but also impacts domestic sales of product.

### Effects on GDA Members

GDA members have a major interest in GIs as they are major producers and exporters of cheese types that could be covered by an extension of the present GI rules from wines and spirits. Extension of GIs would affect production of cheese for both export and domestic markets. Virtually all non-EU cheese producing countries were once colonies or part of the EU member states. Colonists and immigrants carried traditional cheese making including the names to their new homes.

Since then, producers in those countries have made major investments in branding, marketing and product innovation. It is thus absurd to claim that the value of Parmesan or Feta cheese can only be attributed to the original locations in Europe.

### Extension Clawback and Register

The GDA opposes both extension under TRIPS and clawback as proposed by the EU.

The current rules in TRIPS under Article 22 are sufficient in providing protection for "misleading the public". There is no need for extending the present requirements for wines and spirits under Article 23 to other products.

In any case there is no mandate for extension in the Doha Development Round.

Clawback has no mandate either, applies to an arbitrary list of products and has no linkage to the existing GI provisions in the WTO.

### Extension Clawback and Register *(cont'd)*

The GDA strongly opposes a multilateral register for dairy products.

It also opposes banning the use of translations (as in parmesan for parmigiano reggiano) and the protection of names of common production processes (e.g. washed rind) or common descriptive terms such as aged or vintage.

### What's the Solution?

Put simply there is no need for any further action on GIs.

The GDA advocates a common sense approach that:

- Accepts that current rules are sufficient and working well
- Does not provide additional protection to particular producer groups
- Recognises that cheese names are often used in a wide range of producing countries
- Avoids damaging producers and exporters and consumers around the world
- Does not create confusion for consumers