

SUMMARY

This document constitutes an abstract of the presentation from Luis Berenguer Giménez, advisor from the Regulatory Council of the Jijona and Alicante *turrón*, a Spanish Geographical Indication protected by the European Union

(1) The first thing that it must be said when talking about Geographical Indications is the origin of this institution. The geographical indications were born many centuries ago in Mediterranean Europe when several products from a determined region got a special notoriety among consumers. See the wines from Bordeaux or Champagne, The cheese from Parma (parmigiano) and many others...

(2) As time went by, producers realised that identifying its products with an specific region could mean a rise in the sales. Nevertheless, the right to indicate the origin of a product had to be reserved for the producers of the specific region: only the wine made with grapes of Bordeaux could be called “Bordeaux wines” and so.

(3) So the producers of the specific regions decided to manage the use of that geographical reference and to establish the rules to follow in order to correctly use the geographical name.

(4) Nowadays, in order to become a Geographical Indication you must fulfil the following requisites: a) have a traditional or specific way of producing a good, b) a production related to a determined region or geographical area, and c) all this redounding into a quality and notorious product.

(5) We can differentiate several Kinds of Geographical Indications according to the product they protect: a) wine and spirits Geographical Indications, b) agricultural and food Geographical Indications (cheese, ham, rice, tea etc...), and c) the so called (at least in Spain) “Third wave” Geographical Indications: industrial products (carpets, potware, etc).

(6) At this moment allow me to talk about the geographical Indications “Jijona and Alicante *turrón*”. The *turrón* (nougat) is some kind of candy made with almonds, honey and sugar. It’s very typical in Spain and Spanish speaking communities and countries around the world to eat it during Christmas. The product of the Regulatory Council I represent is made in the small village of Jijona (population 7.000), which is in the province of Alicante, in the Mediterranean coast of Spain. The village is surrounded by almond trees and has a deep tradition in producing *turrón* and selling it around the world. There are documents that proof that, already in the 15th century the *turrón* from Jijona was clearly recognised bay the consumers as a high quality product.

(7) In 1939 the Spanish Government created the “Regulatory Council of Jijona and Alicante *turrón*”. In 1992, the European Union decided to include these geographical indications in the list of Indications to be protected in the territory of the E.U.

(8) The legal recognition of a Geographical Indication also means the setting up of the legal framework to protect the use of the geographical name, thus, geographical indications become exclusivity rights under the legal system of Intellectual Property. Nevertheless, that monopoly of use (just like the trademarks) is limited by the territory of recognition, so in the countries where those types of rights are not acknowledged, there is no protection.

(9) But legal protection is essential to Geographical Indications who are threatened by the risk of counterfeiting. Counterfeiting goes along with notorious Industrial Property rights and implies a high risk of dilution and misleading the consumer. In any case, counterfeiting is a clear case of unfair competition since counterfeiters take profit of the reputation of the geographical indication. Domain names cyber piracy is also an example of counterfeiting cases affecting the geographical indications. In both cases, many examples will be provided during the presentation.

(10) Geographical Indications have also a high potential on increasing the reputation of a product, they have many benefits: a) purely economical (more prestige equals higher prices and higher sales), b) production benefits (higher standards of production and certified production) and c) multisectorial benefits, such as development of rural areas and a stronger implication with a specific territory.

(11) Another positive aspect of the Geographical Indications is the so called “Regulatory Council”: the organism that controls and manages all the elements within the Geographical Indication. In the European system, it works as an administrative agency integrated by all the producers of a territory. It also owns the exclusivity rights of the geographical Indication and controls the production of the goods. This body is the most essential element in a day to day working of a geographical indication. Examples of how a regulatory council works will also be provided.