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Geographical Indications and Property Rights: Protecting Value-Added Agricultural Products

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Abstract

Since 1992, the European Union has protected high-quality agricultural products based on geographical origin using designations of geographical indications (GIs). U.S. producers and processors can obtain a type of trademark called a certification mark, which provides similar protections to that of GIs but protects products only within the United States. In the current round of the World Trade Organization (WTO) negotiations, the European Union and other countries are seeking to expand protection through GIs. If they achieve the full range of protection they are seeking, many U.S. producers and processors could no longer use many product names currently treated as generic (e.g., feta cheese). This article describes and contrasts three systems of protecting property rights for agricultural products (certification mark, E.U.-wide GI, and WTO GI) and discusses some of the benefits and problems of each system and the effects of each system on helping to differentiate and protect high-value U.S. agricultural products.

Keywords

certification marks, geographical indication, high-value agricultural products, niche markets, price premiums, product differentiation, property rights protection, Protection of Designations of Origin, Protection of Geographical Indication, trademarks

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Executive Summary

Since 1992, the European Union has protected high-quality agricultural products based on geographical origin using designations of geographical indications (GIs). U.S. producers and processors can obtain a type of trademark called a certification mark, which provides similar protections to that of GIs but protects products only within the United States. In the current round of the World Trade Organization (WTO) negotiations, the European Union and other countries are seeking to expand protection through GIs. If they achieve the full range of protection they are seeking, many U.S. producers and processors could no longer use many product names currently treated as generic (e.g., feta cheese). This article describes and contrasts three systems of protecting property rights for agricultural products (certification mark, E.U.-wide GI, and WTO GI) and discusses some of the benefits and problems of each system and the effects of each system on helping to differentiate and protect high-value U.S. agricultural products.

Keywords: certification marks, geographical indication, high-value agricultural products, niche markets, price premiums, product differentiation, property rights protection, Protection of Designations of Origin, Protection of Geographical Indication, trademarks.

GEOGRAPHICAL INDICATIONS AND PROPERTY RIGHTS: PROTECTING VALUE-ADDED AGRICULTURAL PRODUCTS

Introduction

What do Wisconsin Real Cheese, 100% Kona Coffee, and Vidalia onions have that champagne, feta cheese, and bologna do not? The first three products have U.S. trademark protection based on product origin. No one in the United States can produce or label Wisconsin Real Cheese, 100% Kona Coffee, or Vidalia onions without the consent of the trademark owner, and only producers within a specified area of origin can legally obtain such consent. By comparison, the latter three products do not have U.S. protection based on product origin. Although U.S. and foreign companies may register trademarks for individual brand names for these products, champagne, feta cheese, and bologna are considered generic names under U.S. law and can be produced anywhere in the United States or imported from any country.

Broader protection for all six products would become available if E.U. proposals to increase protection for products identified as originating from a particular geographic region—so-called geographical indications (GIs)—are adopted within the World Trade Organization (WTO). As will be discussed in this paper, protection for GIs was established in the Uruguay Round of the General Agreement on Tariffs and Trade, now administered by the WTO. The specific regulations concerning GIs are addressed in the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement. The TRIPS Agreement also provides for additional negotiations concerning GIs, and the current Doha Round negotiations have revealed just how far apart some WTO members are concerning GIs. On the one hand, the European Union has submitted a proposal that would strengthen GI regulations and broaden the types of products protected. On the other hand, the United States, Australia, Canada, and other major food exporters strongly oppose the E.U. proposal. The United States and Australia believe that current E.U. laws concerning GIs go too far in protecting products against competition. On October 2, 2003, the Dis-

pute Settlement Body of the World Trade Organization agreed to look into E.U. rules on trademarks and GIs at the request of the United States and Australia.

In many ways, the U.S. position seems to contradict the encouragement U.S. producers are getting from the U.S. Department of Agriculture to move away from production of homogeneous commodities and toward production of value-added products that can increase returns. One feasible way to differentiate a product and add value to it is to brand it with the region from which it originated. Alaska fishermen are attempting to do this by joining together to produce Copper River Salmon and Castle Cape Reds. Wisconsin milk producers have joined to create Wisconsin Real Cheese and Wisconsin Style Havarti. As noted, many state departments of agriculture have created certification programs for products that originate within their states. Examples include A Taste of Iowa, Idaho Preferred, Fresh from Florida, Get Real Get Maine, and Maryland Seafood—It's As Good as It Looks. Given that producers are showing increased interest in using GIs to create branded products, why has the United States opposed policy changes that would seem to strengthen the U.S. agricultural sector?

Systems for Protecting Property Rights

GIs serve as a marketing tool that can add economic value to agricultural products by conveying a cultural identity using the region of origin, acknowledging the value of specific human skills and natural resources in the production process, and creating a unique identity for the products (Addor and Grazioli 2002). In evaluating the U.S. position and the potential value of GIs to U.S. agriculture, it is useful to compare the current U.S. system of regulating trademarks with E.U. protection of GIs and WTO-sanctioned GIs.

U.S. Certification Marks

U.S. law provides for a type of trademark—a certification mark—that can serve a purpose similar to GI protection. To operate like a GI, a linkage with origin must be part or all of the stated basis for certification. The U.S. Patent and Trademark Office defines a certification mark as follows:

A certification mark is defined as any word, name, symbol, device, or any combination, used or intended for use in commerce with the owner's permission by someone other than its owner, to certify regional or other

geographic origin, material, mode of manufacture, quality, accuracy, or other characteristics of someone's goods or services, or that the work or labor on the goods or services was performed by members of a union or other organization (U.S. Patent and Trademark Office 2003).

As such, a U.S. certification mark protects one or more products and one or more producers or manufacturers of the product(s) within a specified region. Using the previous examples, Wisconsin Real Cheese and 100% Kona Coffee are covered by U.S. certification marks. Wisconsin Real Cheese can only be produced in Wisconsin and 100% Kona Coffee can only be grown within the geographic borders of the North and South Kona Districts of Hawaii County, Hawaii (U.S. Patent and Trademark Office 2003). Vidalia onions are also protected by origin and can only be produced in all or part of 20 counties in the state of Georgia. Unlike the other two examples, however, trademark protection for Vidalia onions comes from the state-registered trademark "Vidalia," which is owned by the Georgia Department of Agriculture. Vidalia onions are also an example of an agricultural product given certain rights and protections through a U.S. Federal Marketing Order. Thus, some origin-linked protection of U.S. agricultural products occurs outside the federal trademark system.

Appendix Table A.1 provides a list of U.S. trademarks for agricultural products that include a linkage with product origin. As shown, certification marks are often owned by state departments of agriculture or commodity organizations and are often used to promote the sale of several unrelated agricultural products. Under these multi-product marks, resulting price premiums may be difficult to identify, economic benefits are not necessarily spread along the supply chain for any given product, and promotional efforts and funding must be spread over several products. In other cases, certification marks successfully identify the origin of a single agricultural product but do not necessarily command a premium for that product. Under both circumstances, many agricultural products continue to be marketed at commodity prices.

E.U. Geographical Indications

By comparison, the European Union has found GIs to be useful in protecting specific, high-quality agricultural products based on geographical origin. In 1992, the European Union enacted the EU Council Regulation on the Protection of Geographical

Indications and Designations of Origin (Reg. No. 2081/92). The regulation established two types of GI designations: Protection of Designations of Origin (PDO) and Protection of Geographical Indication (PGI). PDO designation means the product is produced, processed, and prepared within the specified geographical area, and the product's quality or characteristics are "essentially due to that area." PGI designation means the product is produced, processed, or prepared in the geographical area, and the quality, reputation, or other characteristics are attributable to that area (European Commission 2003).¹ The 1992 GI regulation exists alongside previously established trademark systems within member states and for trademark registration throughout the European Union.

Interestingly, the United States recognizes and protects some E.U. GIs, even though they are not registered as U.S. trademarks or certification marks. The U.S. Patent and Trademark Office cites "Cognac" as an example of a product protected as a common-law, or unregistered, certification mark in the United States. The U.S. Trademark and Trial Appeal Board determined that Cognac is a valid common-law regional certification mark because U.S. consumers generally understand that "Cognac" refers to brandy from the Cognac region of France and not to a generic form of the product produced elsewhere (U.S. Patent and Trademark Office 2003).

One of the most important differences between trademarks and GIs is that GIs cannot be sold or delocalized and are accessible to any producer within the specified region of origin, although individual companies are allowed to add their own "sub-brands." This system of regionalized ownership is a key factor in ensuring that the economic benefits of GI protection are spread along the supply chain, including to the producers who supply the raw materials.

Because a GI is not owned by an individual or single company, a consortium or similar type of organization comprised of producers and processors normally sets standards to control product quality and integrity, ensure appropriate use of GI identifiers and sub-brands, and promote the GI product. An example of such an organization is the Consorzio Tutela Formaggio Asiago in Italy. Asiago cheese was certified as a Controlled Designation of Origin cheese in 1978, when legislation established the geographical area within which the milk used to produce Asiago cheese could be collected and where production traditionally takes place. The Consorzio Tutela Formaggio Asiago was created in 1979 to control the

quality of Asiago cheese. European Economic Community (EEC) Regulation No. 2081/92 was implemented in 1992, and Asiago cheese received PDO certification in June 1996.

The Consorzio's regulatory board represents Asiago cheesemakers and cheese workshops and maintains a quality management system that fulfils the requirements of the UNI EN ISO 9001:2000 standard. As of November 2003, 55 companies within the PDO-specified geographical region were certified to produce Asiago cheese. To ensure the high-quality status of the product, the Consorzio requires that each cheesemaker maintain detailed records that include the origin and quality of the milk used to produce the cheese, production data, quantities produced, control procedures for the finished product, and information to permit traceability (casein data) (Consorzio Tutela Formaggio Asiago 2003).

In addition to oversight by the consortium, EEC Regulation No. 2081/92 requires that each PDO product be certified by a third-party organization. In the case of Asiago cheese, CertiAsiago is the private inspection structure authorized by the Italian Ministry of Agriculture to verify production standards. Inspection procedures for certification include verification of milk origin, quality, and hygiene; traditional cheese-making processes; and characteristics of the final product. Sensory and taste tests are also conducted on a regular basis. In addition, only authorized companies can package Asiago cheese. In 2002, 22,000 metric tons of Asiago cheese valued at €900 million were produced (Consorzio Tutela Formaggio Asiago 2003). Several Internet stores offer PDO Asiago cheese from Italy at prices ranging from \$7.99 for a single pound to \$15.58 per pound for a 28-pound wheel of Asiago Pressato cheese. This unexpected price variation may result from different brands within the PDO or from marketing strategies aimed at different consumer groups. Asiago cheese made in the United States can be purchased for around \$6.95 per pound.

WTO Geographical Indications

Finally, as mentioned, the WTO also includes some GI protection for agricultural products. A WTO-sanctioned GI covers a single product, is protected within all WTO member countries, and remains valid indefinitely (trademarks must be periodically renewed).

GI protection within the WTO became effective on January 1, 1995, under the TRIPS Agreement. Article 22 of the TRIPS Agreement defines GIs as follows:

Geographical indications are, for the purposes of this Agreement, indications which 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 (WTO 1994).

Article 22 was designed to prevent misrepresentation of a product originating in a geographical area other than the true place of origin. The goals of the regulation are to prevent use of misleading information that might confuse consumers about a product's geographical origin and to prevent any unfair competition that may result from such misunderstanding. When disputes over GIs occur, the GI holders must prove that the public was misled and that unfair competition resulted from improper use of the GI name. The cost of this dispute resolution process discourages GI holders from filing complaints against potentially unfair competition.

Article 23 of the TRIPS Agreement provides broader protection for wines and spirits by removing the burden of proof that the public was misled and unfair competition occurred. Article 23 states, in part:

Each Member shall provide the legal means ... to prevent use of a geographical indication identifying wines ... or identifying spirits ... not originating in the place indicated by the geographical indication in question, even where the true origin of the goods is indicated or the geographical indication is used in translation or accompanied by expressions such as "kind," "type," "style," "imitation," or the like (WTO 1994).

Article 23 also provides for further negotiations concerning the establishment of a multilateral system of notification and registration of GIs for wines and spirits.

As part of the current WTO negotiations, the European Union has presented a three-pronged proposal to broaden the TRIPS Agreement. The first part of the E.U. proposal is to establish a register of GIs protected across international boundaries. As the TRIPS Agreement is currently written, this register would cover wines and spirits. The second part of the proposal is to extend the higher level of protection already provided for wines and spirits (under Article 23) to include other products. It stands to reason that if protection were broadened to other products, the GI register would be broadened to include

these products. The third part of the proposal is to allow WTO member countries to retrieve or “claw back” GIs currently being produced as unprotected products in other countries. Many of the products that individual countries want to retrieve and register as GIs are being produced as generic products (e.g., the feta cheese, champagne, and bologna mentioned earlier). The European Union has identified 41 products that individual E.U. countries wish to retrieve by establishing sole-rights use of the product names and producing the products through WTO-sanctioned GIs.

Financial Interests in Geographical Indications

The objective of EEC Regulation No. 2081/92 governing protection of GIs is to “...add value to certain specific high-quality products from a demarcated geographical area. To promote, in a rural development context, the diversification of agricultural production.”² The European Union perceives GIs as a way to change from quantity-based to quality-based exports by creating a system that will allow consumers to recognize and pay (more) for high-quality products produced only by traditional raw materials and/or methods and only within the regions with which the products originally were associated.

The list of 41 products the European Union wants to protect under the TRIPS Agreement clearly shows the value of the proposal to the European Union (see Table 1). Common wines, spirits, and foods that are consumed worldwide would be given increased protection. For example, Korbel California Champagne—at about \$12 per bottle—would become Korbel California Sparkling Wine. To enjoy Champagne, consumers would have to purchase an expensive bottle of high-quality wine made from grapes produced in the Champagne region of France. Under the E.U. proposal, the demand for French champagne would be expected to increase, thereby increasing the region’s wine profits at the expense of producers of California sparkling wines.

Another item on the E.U. list is feta cheese, a well-known Greek curd cheese with a tradition dating back thousands of years. To many Americans, feta is a crumbly, salty cheese usually used in Greek dishes. Most cheese consumed in the United States that fits this description is made in Wisconsin from cow’s milk and is considered a generic product, except as branded by individual companies. At one time, feta cheese was perceived as a

TABLE 1. The 41 E.U. products and origins proposed as Geographical Indications to be protected under the TRIPS Agreement of the World Trade Organization

Wines and Spirits	Other Products
Beaujolais—Wine, France	Asiago—Cheese, Italy
Bordeaux —Wine, France	Azafrán de la Mancha—Saffron, Spain
Bourgogne—Wine, France	Comté—Cheese, France
Chablis—Wine, France	Feta—Cheese, Greece
Champagne —Wine, France	Fontina—Cheese, Italy
Chianti—Wine, Italy	Gorgonzola—Cheese, Italy
Cognac—Wine, France	Grana Padano—Cheese, Italy
Grappa di Barolo, del Piemonte, di Lombardia, del Trentino, del Friuli, del Veneto, dell' Alto Adige —Wine brandy, Italy)	Jijona y Turrón de Alicante—Nougat, Spain
Graves—Wine, Italy	Manchego—Cheese, Spain
Liebfrau(en)milch—Wine, Germany	Mortadella Bologna—Meat sausage, Italy
Malaga—Wine, Spain	Mozzarella di Bufala Campana—Cheese, Italy
Marsala—Wine, Italy	Parmigiano Reggiano—Cheese, Italy
Madeira—Wine, Portugal	Pecorino Romano—Cheese, Italy
Médoc—Wine, France	Prosciutto di Parma—Dry-cured ham, Italy
Moselle—Wine, Germany	Prosciutto di San Daniele—Dry-cured ham, Italy
Ouzo—Wine, Greece	Prosciutto Toscano—Dry-cured ham, Italy
Porto—Wine, Portugal	Queijo São Jorge—Cheese, Portugal
Rhin—Wine, Germany	Reblochon—Cheese, France
Rioja—Wine, Spain	Roquefort—Cheese, France
Saint-Emilion—Wine, France	
Sauternes—Wine, France	
Jerez, Xerez—Wine, Spain	

Source: European Commission 1994 (accessed October 1, 2003).

Note: In conformity with the European Commission's proposal of modalities, the protection proposed also covers translations (e.g., "Burgundy," "Champaña," and "Coñac") and transliterations in other alphabets. The European Commission intends to extend this list with geographical indications originating in states acceding to the European Union.

generic cheese in the European Union as well, making feta cheese a good example of the complexities that can surround acceptance or rejection of GI protection for a given product.

Prior to GI protection for Greek producers, several E.U. countries were producing and exporting their own versions of feta cheese. Ironically, Roquefort cheese producers, who enjoy GI protection for their own product, reportedly were among the groups that resisted GI protection for feta because they were also producing feta cheese. Greek producers finally won GI protection in 2002, when the European Commission established a PDO for feta, concluding that "feta" is a not a generic word for any kind of tangy, salty curd cheese cured in a brine solution. Rather, the Commission ruled that cheese labeled as Feta cheese can only be produced in certain areas of Greece from goat's or sheep's milk. One result of this decision is that Mediterra Danish Feta is produced in Wisconsin

by Arla Foods of New Jersey and Denmark, but Arla Foods is now forbidden from producing feta in Europe unless it does so in facilities in Greece.

Should Wisconsin producers be allowed to use the term “feta” as a generic term to describe their cheese? Increased protection of GIs would suggest not. Would the demand for this Wisconsin cheese disappear if it could not be called feta cheese—even if Greek feta commanded a larger price premium because feta cheese supplies were limited to the maximum volume that could be produced in the Macedonia, Thrace, Thessaly, Central Mainland, Peloponnese, and Lesbos prefectures of Greece?

Potential Losses from Increased Property Rights Protection

The reason the United States is against the current E.U. proposal is not difficult to understand: existing U.S. companies are threatened. According to Goebel, brand protection under existing trademark law serves as “the main communication tool between a manufacturer and the consumer.” Many countries take the position that the TRIPS Agreement provides for “the exclusivity of a valid prior good faith trademark registration” (Goebel 2003, p. 973), or the concept of first in time, first in right. Under this interpretation of TRIPS, companies would maintain prior rights to trademarks. Further, the United States and many other countries already have legislation governing conflicts over the exclusivity of prior rights and contend that the TRIPS Agreement should not interfere with existing legislation.

Goebel, however, notes that “...the European Communities traditionally pursue a concept of geographical indication protection which assumes a certain element of superiority of geographical indications over trademarks” (p. 973). One current E.U. regulation allows wine trademarks with prior authority to be expunged without compensation in favor of a GI “if a confusingly similar designation is later on protected as a geographical indication for wine” (Goebel p. 973). Another E.U. regulation allows some coexistence with GIs and existing trademarks. Under this regulation, the prior trademark loses its exclusivity and must coexist with a GI, but a GI does not lose its exclusivity to a later trademark. This approach to trademark rights is unpalatable to many WTO members, who perceive such regulations as tantamount to confiscation of private property without compensation and egregious violations of their existing trademark laws.

Multinationals and companies outside the European Union that have built reputations in part on products that originally came from Europe could suffer under the E.U. proposal if they were required to change the name of their products and if demand for the products were to decrease. Companies such as Kraft generate millions of dollars annually from sales of inexpensive Parmesan cheese, which takes its name from the world class Parmigiano Reggiano. Already, Kraft has been forced to change the name of its cheese to Pamesello within the European Union. The E.U. proposal would block Kraft from marketing Parmesan cheese anywhere in the world, even though Kraft has produced a version of Parmesan cheese since 1945 (Kraft Foods 2003).

If WTO members agreed to protect the List of 41 under Article 22 but decided *not* to attach the additional protection currently allowed to wines and spirits under Article 23, labels such as “Parmesan cheese, made in the U.S.A.” would be considered acceptable because they do not mislead consumers. But, supporters of additional protection argue that this compromise would allow “free riding” on the reputation of GIs, which would dilute the distinctiveness of GI products and continue to limit potential price premiums (Addor and Grazioli 2002).

Outside the WTO negotiations, many countries are negotiating GIs in bilateral trade agreements. On September 17, 2003, for example, Canada and the European Union signed an accord on wine and spirits, including all the wines on the E.U. “List of 41.” Immediately upon implementation, Bourdeaux, Chianti, Claret, Mareira, Malaga, Marsala, Médoc, and Mosel will immediately cease to be used as generic names in Canada. Within two years, the use of Grappa and Ouzo as generic names will be phased out and the European Union will protect Rye Whisky as a distinctive product of Canada. By December 31, 2008, Bourgogne, Rhin, and Sauterne will be protected as E.U. wines. By December 31, 2013, Chablis, Port, Sherry, and Champagne will be protected exclusively as E.U. wines. At the time the agreement was signed, negotiations over wine labeling and protection for “Highland Whisky” were left for future negotiations (European Commission 2003).

On the other hand, one of the more highly publicized conflicts over GIs has been between Italy and Canada over Parma ham (Prosciutto de Parma). Although Parma ham is protected as a product from Italy in the United States, the same protection has not been

extended by Canada. What many media articles covering the dispute have failed to note is that Parma ham has been a registered Canadian trademark held by Maple Leaf Foods for more than 30 years. In this case, the European Commission has argued for coexistence, which would allow both Canadian and Italian product to be sold as Parma ham in Canada, thereby eliminating the exclusivity of a trademark currently held by Maple Leaf Foods.

Appendix Table B.1 presents existing U.S. trademarks with some level of association to the proposed "List of 41." At least some of these trademarks eventually could be affected if the E.U. interpretation of superior rights for GIs were adopted as part of the TRIPS agreement and if E.U. countries retrieved rights to all 41 products. Consumers purchase branded products for a variety of reasons. The amount of money spent on advertising to maintain brand names suggests that the companies believe that their product names are important. If names were changed because of adoption of the E.U. proposal, then presumably sales of these products would decrease, with resulting financial losses. The threat of the claw-back provision is magnified by the long list of products the European Union has already protected as GIs. If the 41 proposed products are accepted as WTO-sanctioned GIs, how many more products will the European Union attempt to retrieve?

The cost of modifying existing intellectual property systems or developing new systems to accommodate a GI register has been mentioned in several submissions to the WTO, but few offer actual cost estimates. Hong Kong is one of the few sources of such cost estimates. The government submission to the WTO states, "Based on our experience, two full-time university graduate staff are required to carry out the formality examinations, supported by a small clerical staff together with overheads and accommodation. On this basis, we estimate the cost of establishing a computer system and secure Internet server with requisite software to support the register will be U.S.\$10,800. The annual recurrent cost is estimated at U.S.\$253,900." Using these figures, government estimates put the cost of registering an individual GI at U.S.\$180 (based on a maximum capacity of 10,000 registered GIs, 1,000 applications per year, required renewal after 10 years, and a GI renewal rate of 70 percent) (Hong Kong Economic and Trade Office 2003). This cost appears to be in line with fees charged in other countries to register trademarks.

Finally, the European Union and its allies argue that lesser-developed countries will gain comparable protection for their unique agricultural products. This is true only if the

lesser-developed countries are members of the WTO. Under the E.U. proposal, non-WTO members would have no rights to challenge a proposed GI, regardless of prior trademark rights (Goebel 2003).

Given this list of issues, might there be some offsetting benefits to consumers or new companies from increasing protection for GIs?

Potential Benefits from Increased Property Rights Protection

The United States has been a forceful and consistent international advocate for increased protection of intellectual property rights. The fights against bootleg DVDs in China, against production of unlicensed generic drugs in Africa, and for the rights of seed companies have been led by the United States. This should come as no surprise, given the large proportion of intellectual property held by U.S. citizens and companies. But protecting intellectual property also serves a greater societal goal of rewarding creativity and discovery. Lack of protection for intellectual property would decrease monetary incentives for people to engage in activities that lead to invention. Pharmaceutical companies would invest less in discovering new drugs. The recording industry would pay its artists less. And seed companies would invest less in new seed technologies.

Suppose the United States joined Europe's efforts to increase international protection for GIs in agricultural products. This policy change would immediately increase the incentive to create and register new products and brand names based on geographic origin. Regional foods could be marketed internationally with less risk that their niche would be overwhelmed by domestic competition. That is, protection of the GI would increase the incentive to create new brands because future competition would be limited.

A study by Addor and Grazioli contends, "The main advantage of GIs as a means of protection for informal innovation is the 'relative impersonality' of the right—it is not dependent on a specific right holder" (2002, p. 870). Producers and processors as a group hold exclusive right, which means they also receive any additional economic value that results from their investment in the quality, authenticity, reputation, and goodwill associated with their GI product. GIs reward the collective traditions and collective decisions while allowing for continued product evolution. GIs also allow producers to pool resources to target consumers willing to pay for attributes not found in generic commodity products.

A global economy means that trademark regulations that apply within a single country and that require separate registration in several countries are no longer sufficient to maximize producers' earning potential. Greater access to world markets through electronic marketing increases product visibility in niche markets, allowing consumers to base purchasing decisions on product assets such as reputation, quality standards, and environmental responsibility.

Numerous examples demonstrate how increased protection has led to increased profits for producers in Europe. Italian "Toscano" oil receives a 20 percent premium over commodity oil, the market price for Bresse poultry in France is quadruple that of commodity poultry meat, and milk used to produce French Comte cheese sells for a 10 percent premium (European Commission 2003). Parma ham "commands a premium of up to 50 percent over other hams in European stores, in part because the pigs are fattened until they are at least nine months old, and the ham contains no artificial coloring or preservatives" (Gumbel 2003). In Mexico, creating the GI designation "Tequila" increased the price of agave and other domestic inputs, which greatly increased profits for Mexican producers.

Product differentiation is multidimensional, and premiums may vary widely across markets. Using meat as an example, high levels of product safety used to be associated with imported products in many countries and would command a premium in some. Now, safety and traceability have become the norms in many markets (e.g., Japan's high-value beef market), and there is little if any price premium for such differentiation. So-called mainstream differentiation that guarantees attributes such as a good eating experience can command a price premium between 5 and 15 percent. The most highly rewarded differentiation—niche market differentiation—includes products that appeal to wealthy consumers or to ethnic preferences and that can command price premiums of 20 percent or greater compared with the price of generic products (Brown 2003). Most GIs would fall into this high-premium category.

Examples of branded meat products commanding premiums of greater than 20 percent include some organic meats, chilled New Zealand lamb marketed in the European Union, France's Label Rouge Poultry (30 to 40 percent premium), and Japan's Wagyu beef (more than 50 percent). Even at these high price premiums, consumer-driven demands (e.g., eating performance, convenience, health, social responsibility) make these

products a good value for the money. Creating GIs for these types of products would help ensure that product quality, integrity, and supply are protected against competitors.

“European” perceptions of high quality, added value, authenticity, and social responsibility have created small niche markets on the U.S. East and West Coasts (Brown 2003). The European Union is expanding in 2004 (and beyond), and several non-E.U. countries are adopting E.U. food policy. As a result, niche markets based on European perceptions are likely to expand. As producers respond to competition by pushing through new attributes in an attempt to differentiate their products, some of these attributes will become the norm and will thereby lose any associated price premiums. GIs have the advantage of allowing for the inclusion of new attributes (e.g., new food safety, animal welfare, and environmental protection systems) while preserving the basic attributes on which GI differentiation is based so that premiums will not be diluted by changes in other products.

Because both producers and processors belong to the organizations that control and promote GI products, price premiums generally benefit both groups, giving GIs the potential to revitalize rural areas by improving returns to small and medium-sized enterprises. Italy serves as a good example in this respect. Although large companies account for over 50 percent of Italy’s agricultural revenue, the total agricultural sector is mostly comprised of small and medium-sized enterprises specializing in local and traditional products (European Commission 2003). Certified origin products enable these companies to supply niche markets that are not affected by competition from the large companies because production potential will always be limited by the geographical area.

Does Europe Have a Monopoly on Fine Foods?

Most of the benefits of increased protection for GIs are expected to flow primarily to European producers. After all, the vintners, cheesemakers, and sausagemakers who emigrated to the New World brought the foods and food-processing techniques from their native cultures, often adapting them to the ingredients and conditions available in the Americas. Thus, the wide variety of foods available across the many regions of Europe serves as the basis of much of Western cuisine. And Europe’s food industry and farmers certainly would reap a large proportion of the initial benefits of increased protection for

GIs. Given the E.U.'s policy since at least from the passage of the 1992 law to create a mechanism to reward farmers for their investments in value-added food items, European farmers and companies are in a much better position to benefit from increased protection than are U.S. farmers and companies.

Appendix Table C.1 provides the product descriptions and linkages to natural and human factors that were used to justify E.U. GI designation for the food items from the List of 41. These same descriptions would likely be used to justify WTO-sanctioned GIs if WTO members allow the European Union to claw back rights to these products. Although it might be difficult to match the "miracle of nature" that "gives Roquefort its incomparable taste," Europe does not have a monopoly on fine foods. U.S. producers have their own array of high-quality, noncommodity products with justifiable geographic linkages. For example, high-quality, corn-fed beef slaughtered in plants throughout the U.S. Corn Belt is in high demand in Japan. The demand for noncommodity U.S. cheeses identified with particular regions is growing. And international demand exists for products made from California citrus, nuts, and other fruit.

Hayes, Lence, and Stoppa note that "Producers in each U.S. county probably could identify a unique way to make ice cream, cheese, sausage, or ham, or unique ways to feed pigs, cattle, chickens, or turkeys. These products are more likely to succeed if there is a genuine flavor difference such as might exist with range-fed poultry" (2003, p. 21). Furthermore, production of raw materials is not limited to the same area where a product is produced so long as the linkages to origin for both contribute to the quality and reputation of the final product. Thus, production of raw materials and the final product can take place in different or overlapping areas. Increased international protection for GIs could unleash the creativity of U.S. farmers and food companies over the next 30 years to meet new kinds of food products demanded by consumers all over the world.

A Turning Point for World Agriculture?

Rich-country policymakers are under increasing pressure to reduce taxpayer subsidies given to farmers. The current round of WTO negotiations stalled because poorer countries banded together with middle-income countries, such as China and Brazil, to block movement on an agreement until more progress is made on reducing U.S. and E.U. agricultural

subsidies. Because farmer subsidies overwhelmingly focus on commodities, the current system of farm support encourages farmers and researchers to continue to focus their energies on finding ever-cheaper ways to produce more grain, oilseeds, and fiber.

Europe is attempting to wean its farmers from subsidies in two ways. The first is to increase the proportion of payments that are decoupled from production levels, much like the United States has done with its direct payments. The second approach is to create incentives for farmers to invest in higher-quality, value-added food products by bestowing greater property rights over the names of regional products. The aim is to create a more diversified, profit-oriented agriculture. Again, there is evidence that this approach is working. The Italian food industry in Tuscany and Emilia-Romagna is booming with new investments in value-added food items protected by GIs. Growth in the availability of noncommodity meats, poultry, and produce in France and Britain over the last five years is extraordinary. It is interesting to note that France and Italy hold the highest percentages (22 and 20 percent, respectively) of registered PDOs and PDIs in the European Union (Hayes, Lence, and Stoppa 2003). Clearly, the strengthening of property rights through GIs has helped producers meet the demand for high-quality food items.

Creating GIs for U.S. products will involve a change in the way U.S. producers and processors think about protecting, valuing, and marketing agricultural products. Using three products from Appendix Table A.1 as examples, we assume that producers wish to access worldwide consumer demand. First, “Copper River Salmon Cordova” is a trademark held by a corporation. Unlike a GI, the current trademark could be sold to another entity so that the salmon being produced would not necessarily originate from Copper River. Further, producers in other countries could be allowed to market any salmon as Copper River Salmon Cordova. Finally, if the corporation does not include all producers and processors in the decision-making process and does not spread any economic rewards throughout the supply chain, it will be more difficult to obtain complete buy-in by all participants to protect product quality and integrity and to pool resources to market the salmon.

As noted earlier, many U.S. certification marks have a geographic linkage but are too broad to provide the same benefits as GIs. The second example involves state-owned trademarks such as “A Taste of Iowa,” which applies to several products. This certification mark differentiates Iowa products from those of other states, and is an effective way

to allocate scarce resources across products. However, this type of differentiation may not be enough to raise all the covered products above commodity status and to allow producers and processors to command a premium for their products. Protecting products separately based on distinctive attributes directly linked to Iowa or regions in Iowa as the origin will allow greater and perhaps more marketable differentiation.

A third example—100% Oahu Coffee—demonstrates a certification mark that serves the same purpose as a GI by limiting use to goods that originate (are grown) within the geographical borders of the Island of Oahu, Hawaii. However, this mark would not provide WTO-wide protection unless it is registered in all other WTO countries according to varying legislation in the other countries. Like the other two examples, this product would benefit from a single registration process that would provide protection in all WTO countries.

Continued world prosperity will increase world demand for foods that contribute to a diversified, high-quality diet. One way to ensure that growth in demand for high-quality foods will benefit producers is to give entrepreneurial producers greater control over the quality and quantity of the food items they produce. Only then can they guard against imitators, who would overwhelm an otherwise profitable niche market. Increased protection of GIs is just the type of support needed by producers who want to move away from commodity production. In-depth analyses of the costs and benefits of GIs would be valuable in determining the worth of these designations for E.U. and U.S. agricultural products. Given the information available to date, if U.S. producers and consumers want a more diverse and less subsidized agricultural sector, we might have something to gain from this E.U. agricultural policy.

Endnotes

1. A third designation, Traditional Speciality Guaranteed (TSG), is protected under the EC Council Regulation on the Certificates of Specific Character (Reg. No. 2082/92). For TSG designation, the product name itself must be specific or express the specific character of the foodstuff and the product must be traditional or established by custom (European Commission 2003). However, this paper addresses only PDOs and PGIs.
2. See the full text at <http://europa.eu.int/scadplus/leg/en/lvb/l21097.htm>.

Appendix A: Types of U.S. Trademarks for Agricultural Products

The U.S. Patent and Trademark Office defines three types of trademarks.

1. **Trademark**—Any word, name, symbol, or device, or any combination, used or intended for use in commerce to identify and distinguish the goods of one manufacturer or seller from goods manufactured or sold by others, and to indicate the source of the goods. In short, a trademark is a brand name.
2. **Service Mark**—Any word, name, symbol, device, or any combination, used or intended for use in commerce to identify and distinguish the services of one provider from services provided by others, and to indicate the source of the services. In other words, a service mark distinguishes the source of a service rather than a product. Although both trademarks and service marks may include the name of a geographical region, neither are intended to protect a product based on the product's origin.
3. **Certification Mark**—Any word, name, symbol, device, or any combination, used or intended for use in commerce with the owner's permission by someone other than its owner, to certify regional or other geographic origin, material, mode of manufacture, quality, accuracy, or other characteristics of someone's goods or services, or that the work or labor on the goods or services was performed by members of a union or other organization. Under U.S. law, a certification mark can serve as a GI to protect products based on origin.

Table A.1 presents examples of U.S. trademarks, service marks, and certification marks that have been filed or are registered for U.S. agricultural products. As shown, some of these marks include a geographic name that may or may not be associated with the place of origin. Note also that some certification marks include a geographic name but that the certification does not specify any linkage to the origin of the product.

TABLE A.1. Examples of U.S. trademarks filed for or registered, with real or implied association to origin

State/Region	Product/Protection
Alaska	
	Salmon
	SNOW PASS SUMMER COHO SALMON FRESH FROM KETCHIKAN ALASKA Goods and services: fresh Coho Salmon, <i>Oncorhynchus Kisutch</i> , harvested near Snow Pass in Southeast Alaska Type of mark: Trademark Owner (Registrant): Southern Southeast Regional Aquaculture Association (Non-profit corporation)
	CASTLE CAPE REDS Goods and services: fresh and frozen salmon Type of mark: Trademark Owner (Applicant): Chignik Seafood Producers Alliance
	COPPER RIVER SALMON CORDOVA Good and services: fresh and frozen salmon Type of mark: Trademark (Last Listed Owner): Norquest Seafoods, Inc. (Corporation, Assignee of Washington)
	Seafood
	CERTIFIED ALASKA QUALITY SEAFOOD Goods and services: seafood Type of mark: Certification Mark—The quality certification mark, as used by persons authorized by applicant, is intended to certify and promote quality grades of seafood products from Alaska. Owner (Applicant): Alaska Manufacturers' Association (Incorporated Association)
	ALASKA SEAFOOD Goods and services: Fresh, frozen, canned or processed seafood Type of mark: Certification Mark—The certification mark, as used by persons authorized by applicant, is intended to certify that the seafood specified in the identification of goods originates from Alaskan waters. Owner (Applicant): Alaska Seafood Marketing Institute (Nonprofit Corporation)
Arizona	
	Multiple Products
	ARIZONA GROWN Goods and services: pharmaceuticals, natural agricultural products, clothing, light beverages, meats and processed foods, wines and spirits, staple foods Type of mark: Certification Mark—This certification mark, as used by authorized persons, certifies that the food, agricultural products, processed goods or manufactured products were grown, raised, processed, or manufactured in Arizona. Owner (Applicant): Arizona Department of Agriculture (State Agency)
California	
	Almonds and Almond Products
	CALIFORNIA ALMONDS ARE IN Goods and services: processed, roasted and shelled almonds; almond butter; almond oil; almond-based food beverage used as a milk substitute; almond-based spreads; creamers and non-dairy creamers, cheese substitutes, soups and dips, all containing processed almonds; snack mixes comprised primarily of processed almonds; almond-flavored preserves and jellies. Almond paste; candy, ice cream, frozen yogurt, non-dairy frozen confections, breakfast cereals, bakery products, food bars ready to eat, pudding, and

TABLE A.1. Continued

State/Region	Product/Protection
California	<p>Almonds and Almond Products (cont.) baking mixes, all containing almonds; almond syrup; sauces and coatings containing almonds. Unprocessed and raw almonds. Type of mark: Trademark Owner (Registrant): The Almond Board of California (Unincorporated Association)</p>
	<p>Avocados CALIFORNIA AVOCADOS Goods and services: promoting the consumption of avocados and conducting market research for avocado growers Type of mark: Service Mark Owner (Registrant): California Avocado Commission (Not-For-Profit Corporation)</p>
	<p>Bottled Water INDIAN WELLS Goods and services: bottled water Type of mark: Trademark Owner (Registrant): City of Indian Wells (Municipality)</p>
	<p>Dates CALIFORNIA DATES Goods and services: promoting California dates through advertising and marketing, namely promotional campaigns and distribution of printed materials Type of mark: Service Mark Owner (Registrant): California Date Commission (State Government Entity)</p>
	<p>Dried Plums DRIED AND TRUE DRIED PLUMS FROM CALIFORNIA Goods and services: advertising commission services, namely promoting the consumption of dried plums Type of mark: Service Mark Owner (Applicant): The California Dried Plum Board (Non-Profit Government Agency)</p>
	<p>Fruits CA WELL MAT Goods and services: fresh nectarines, fresh peaches, and fresh plums Type of mark: Certification Mark—The certification mark, as used by authorized persons, certifies that the fruit has been grown in the State of California and has been allowed to mature on the tree beyond the minimum maturity level set by the U.S. Department of Agriculture. Owner (Registrant): California Tree Fruit Agreement (Federal Agency)</p> <p>CALIFORNIA SUMMER FRUITS Goods and services: association services, namely promoting the interests of the growers and packers of California-grown fresh [pears,] plums, peaches, and nectarines Type of mark: Service Mark Owner (Registrant): California Tree Fruit Agreement Organization (Federal Agency)</p>
	<p>Prunes PRUNES FROM CALIFORNIA Goods and services: dried prunes Type of mark: Trademark Owner (Registrant): California Prune Board (Marketing Order, Nonprofit Government Agency)</p>

TABLE A.1. Continued

State/Region	Product/Protection
California (cont.)	
	Wines
	NAPA VALLEY BARREL-AGED RESERVE Goods and services: still wines and sparkling wines Type of mark: Certification Mark—The certification mark, as used by persons authorized by applicant, certifies that the wine meets the certifier’s aging specifications and is of the Napa Valley appellation. Owner (Registrant): Napa Valley Reserve Certification Board (Corporation)
Colorado	
	Bottled Water
	PURPLE MOUNTAIN PURE Goods and services: Purple Mountain Pure pristine drinking water bottled water Type of mark: Trademark Owner (Applicant): Metlakatla Indian Community (Federally Recognized Indian Tribe)
	Potatoes
	COLORADO POTATOES QUALITY AS HIGH AS OUR MOUNTAINS Goods and services: fresh potatoes Owner (Registrant): Colorado Potato Administrative Committee (Department of Agriculture) Type of mark: Collective Trademark
Florida	
	Natural Agricultural Products
	FRESH FROM FLORIDA Goods and services: natural agricultural food products Type of mark: Certification Mark—The certification mark, as used by persons authorized by the certifier, certifies that the product is a fresh agricultural product from a Florida producer, processor, shipper, packer, wholesaler, or retailer. Owner (Registrant): Florida Department of Agriculture and Consumer Services (State Agency)
	Tomatoes
	FLORIDA TOMATOES RIPEN NATURALLY NEVER REFRIGERATE Goods and services: promoting the consumption of tomatoes by distributing printed materials, placing advertisements, and appearing at trade shows Type of mark: Service Mark Owner (Registrant): Florida Tomato Committee (Established by the U.S. Department of Agriculture)
Georgia	
	Multiple Agricultural Products
	GEORGIA ALWAYS IN GOOD TASTE Goods and services: certifying the regional [original] origin of agricultural commodities Type of mark: Certification Mark—The certification mark, as used by persons authorized by applicant, certifies that the goods were grown in Georgia. Owner (Registrant): Georgia Department of Agriculture (State Agency)

TABLE A.1. Continued

State/Region	Product/Protection
Hawaii	<p>Coffee</p> <p>100% OAHU COFFEE Goods and services: coffee Type of mark: Certification Mark—The certification mark, as used by persons authorized by applicant/certifier, certifies that the goods originate (are grown) within the geographical borders of the Island of Oahu, Hawaii. Owner (Registrant): The Department of Agriculture of the State of Hawaii (State Agency) [Note: The Department of Agriculture of the State of Hawaii also holds certification marks for 100% Molokai Coffee, 100% Maui Coffee, 100% Kona Coffee, 100% Kauai Coffee, and 100% Hawaii Coffee.]</p>
Idaho	<p>Multiple Agricultural Products</p> <p>IDAHO PREFERRED Goods and services: food or agricultural products that have been grown, raised, processed, or otherwise manufactured in the state of Idaho Type of mark: Certification Mark—This certification mark, as used by persons authorized by applicant, certifies that the food or agricultural products sold under the mark are grown, raised, processed or otherwise manufactured in the state of Idaho. Owner (Applicant): Idaho State Department of Agriculture (State Agency)</p>
Iowa	<p>Multiple Agricultural Products</p> <p>A TASTE OF IOWA and A TASTE OF IOWA IOWA GROWN Goods and services: agricultural, horticultural, and grain products; meat; drinks; juices; syrups; preparations for making beverages; fresh fruits and vegetables; other food products; and natural plants, all originating in the State of Iowa. Type of mark: Certification Mark—The certification mark, as used by authorized persons, certifies that agricultural, horticultural and grain products, meat, drinks, juices, syrups, preparations for making beverages, fresh fruits and vegetables, others food products, and natural plants bearing the mark originate in the State of Iowa and comply with the standards established by the Iowa Department of Economic Development. Owner (Registrant): Iowa Department of Economic Development (State Agency)</p> <p>Meats</p> <p>FINE IOWA MEATS Goods and services: promoting Iowa products to others Type of mark: Service Mark Owner (Registrant): Iowa Department of Economic Development (State Agency)</p>
Kentucky	<p>Promoting Kentucky Bourbon</p> <p>KENTUCKY BOURBON TRAIL Goods and services: association services, namely, promoting the interests of the Kentucky bourbon industry. Providing guided tours of bourbon distilleries. Owner (Registrant): Kentucky Distillers' Association (Corporation) Type of mark: Service Mark</p>

TABLE A.1. Continued

State/Region	Product/Protection
Louisiana	
	Seafood
	LOUISIANA'S MAIN INGREDIENT Goods and services: Association services, namely, promoting the interests of the Louisiana Seafood Industry Type of mark: Service Mark Owner (Registrant): Louisiana Seafood Promotion and Marketing Board of the Department of Wildlife and Fisheries Agency
	Sweet Potatoes
	GUARANTEED LOUISIANA ORIGIN SWEET POTATOES YAMS Goods and services: sweet potatoes and yams Type of mark: Certification Mark—The certification mark, intended to be used by authorized persons, is intended to certify-that the sweet potatoes and yams are grown in Louisiana. Owner (Registrant): The Louisiana State Market Commission of the Louisiana Department of Agriculture and Forestry (State Agency)
Maine	
	Lobster
	QUALITY CERTIFIED FROM MAINE, USA Goods and services: processed lobster products from Maine Type of mark: Certification Mark—The certification mark, as used by authorized persons, certifies that the goods with which the mark is associated meet the certifier's standards as to culling, refrigeration, washing, butchering, chilling, storing, cooking, freezing, labeling, packing, weighing, and shipping. Owner (Registrant): Maine Lobster Processors, Inc. (Corporation of four member lobster processing companies)
	Multiple Agricultural Products
	STATE OF MAINE Goods and services: fresh fruits, vegetables, milk, and other produce and dairy products Type of mark: Certification Mark—The certification mark, as used by persons authorized by applicant, certifies that the goods originated in Maine and/or satisfy standards as to product grade and quality promulgated by applicant for particular goods. Owner (Registrant): Maine Department of Agriculture, Food and Rural Resources (State Agency)
	GET REAL GET MAINE Goods and services: providing marketing assistance and promotional services to agricultural producers in the State of Maine; promoting the sale and use of food and agricultural products from the State of Maine. Providing agricultural information, namely, listings of producers and processors of food and agricultural items that originate in Maine. Type of mark: Service Mark Owner (Registrant): Maine Department of Agriculture, Food and Rural Resources (State Agency)

TABLE A.1. Continued

State/Region	Product/Protection
Maryland	
	Crabmeat
	MARYLAND PASTEURIZED CRABMEAT PASTEURIZED TO RETAIN ITS QUALITY Goods and services: fresh or pasteurized crabmeat packed and processed in Maryland Type of mark: Trademark. Owner (Registrant): Maryland Department of Agriculture (State Agency)
	Seafood
	MARYLAND SEAFOOD IT'S AS GOOD AS IT LOOKS Goods and services: fresh seafood packed in Maryland; processed seafood processed and packed in Maryland. Type of mark: Trademark Owner (Registrant): Maryland Department of Agriculture (State Agency)
Michigan	
	Apples
	TASTE THE FRESHNESS OF MICHIGAN Goods and services: apples Type of mark: Certification Mark—The certification mark, as used by persons authorized by the applicant, certifies that the goods bearing the mark consist of apples grown in the state of Michigan. Owner (Registrant): Michigan Apple Committee (Corporation)
	Cherries
	GRAND TRAVERSE Goods and services: processed cherries Type of mark: Trademark Owner (Registrant): Cherry Central Co-Operative Inc. (Corporation)
Minnesota	
	Wild Rice
	NET LAKE WILD RICE Goods and services: wild rice Type of mark: Trademark Owner (Registrant): Bois Forte Band of Chippewa Indians (Federally Recognized Indian Tribe)
	WILDRICE: THE CAVIAR OF GRAINS Goods and services: promoting the consumption of wild rice, via distribution of printed recipes and other promotional materials Type of mark: Service Mark Owner (Registrant): Minnesota Cultivated Wild Rice Council (Unincorporated State-Chartered Commodity Promotion Council)
	Soy Products
	NORSOY Goods and services: Promoting the sale of goods and services of others through the distribution of printed material in the field of soy products originating in the North Central states, especially Minnesota, North Dakota and South Dakota; preparing promotional and merchandising material for others in the field of soy products originating in the North Central states, especially Minnesota, North Dakota, and South Dakota; direct marketing advertising for others in the field of soy products originating in the North Central states, especially Minnesota, North Dakota, and South Dakota and providing business marketing

TABLE A.1. Continued

State/Region	Product/Protection
Minnesota	<p>Soy Products (cont.) information in the field of soy products originating in the North Central states, especially Minnesota, North Dakota, and South Dakota. Type of mark: Service Mark Owner (Registrant): Minnesota Department of Agriculture (State Agency)</p>
Montana	<p>Multiple Agricultural Products GROWN IN MONTANA USA Goods and services: all agricultural products grown within the state of Montana that are 50 percent or greater value-added Type of mark: Certification Mark—The mark, as used by authorized persons, certifies that the products that display the trademarked logo are 50 percent or greater value-added within the state of Montana. Owner (Registrant): Montana Department of Commerce (State Agency)</p> <p>Safflower Products MONTOLA Goods and services: edible safflower oil, safflower seeds for agricultural purposes Type of mark: Trademark Owner (Last Listed Owner): Montana State University–Bozeman (MSU) (Higher Education Institute, by Assignment)</p>
Nebraska	<p>Beef NEBRASKA GOLD and NEBRASKA BOXED BEEF Goods and services: beef Type of mark: Trademark Owner (Registrant): BeefAmerica Operating Company, Inc. (Corporation)</p>
New Mexico	<p>Multiple Agricultural Products NEW MEXICO GROWN WITH TRADITION and NEW MEXICO TASTE THE TRADITION Goods and services: promoting agriculture, farming, ranching, commodities, and products grown, produced, and processed in New Mexico Type of mark: Service Mark Owner (Registrant): New Mexico Department of Agriculture (State Agency)</p> <p>NEW MEXICO'S OWN Goods and services: [The complete list of goods and services for this certification mark includes a broad range of agricultural and non-agricultural products, only some of which are included here.] animal equipment, fertilizers, foods and ingredients of foods, including red chile, green chile, corn tortillas, flour tortillas, tortilla chips, green chile, salsa, red chile salsa, burritos, enchiladas, flautas, tacos, popcorn, spices, cookies, pastries and other desserts, sausage, fruit and vegetables, sauces, jerkies, jellies, jams, prepared meals and snacks, alcoholic beverages, including wines, spirits, malt beverages, and ciders, coffee and tea, veterinary or agricultural ... research Type of mark: Certification Mark—The certification mark, as used by persons authorized by applicant, certifies that the user produces, manufacturers or substantially enhances a product within the state of New Mexico, or provides services within the state of New Mexico. Last Listed Owner: NATIF Inc. (Native American Technical Instruction Foundation)</p>

TABLE A.1. Continued

State/Region	Product/Protection
New York	
	Apples
	APPLE COUNTRY NEW YORK STATE Goods and services: fresh apples Type of mark: Trademark Owner (Registrant): The New York Apple Association, Inc. (Corporation)
	Food Products
	SEAL OF QUALITY NEW YORK STATE Goods and services: food products produced in New York state Type of mark: Trademark—The mark certifies that the particular food item meets the certifier’s standards regarding some or all of the following; maturity, grade, size, defects, packing, marking, cleanliness, sanitizing, flavor and color. [Note: This mark is classified as a trademark but also certifies standards.] Owner (Registrant): New York State Department of Agriculture (State Agency)
	Multiple Agricultural Products
	PRIDE OF NEW YORK Goods and services: agricultural products that are produced or processed in New York Type of mark: Certification Mark—The mark is intended to certify that the agricultural products meet the standards set forth in a participation agreement set by the certifier. Specifically, the mark is intended to certify that the goods meet the standards set by the certifier and that the goods are produced or processed in New York. Owner (Registrant): New York State Department of Agriculture and Markets (State Agency)
Ohio	
	Agricultural Commodities
	OHIO PROUD Goods and services: agricultural commodities, namely, livestock, equine and fur-bearing animals, poultry, bees, beeswax, eggs, honey, honeycomb, milk, syrup, grains, fruits, vegetables, mushrooms, nursery stock, shrubs, trees, flowers, sod, timber, tobacco, fibers, seeds, herbs; and other products containing agricultural commodities Type of mark: Certification Mark—Applicant authorizes third parties to use the mark in connection with the above-described goods to certify that such goods are at least 50 percent grown, raised, or processed in the State of Ohio. Owner (Registrant): Ohio Department of Agriculture (State Agency)
Oregon	
	Beer
	OREGON BREWERS GUILD QUALITY AND INTEGRITY Goods and services: beers Type of mark: Certification Mark—The certification mark, as used by persons authorized by applicant, certifies the regional origin of goods bearing the mark. Owner (Registrant): Oregon Brewers Guild, Inc. (Corporation)
	Hazelnuts
	OREGON ORCHARD Goods and services: hazelnuts sold as packaged consumer goods through retail stores such as grocery stores, specialty stores, and gift shops Type of mark: Trademark Owner (Registrant): Hazelnut Growers of Oregon (Cooperative)

TABLE A.1. Continued

State/Region	Product/Protection
Oregon (cont.)	
	Onions
	SPANISH ONIONS IDAHO EASTERN OREGON Goods and services: fresh onions Type of mark: Collective Trademark Owner (Registrant): Idaho-Eastern Oregon Onion Committee (Committee Established by the U.S. Secretary of Agriculture)
	Organic Agricultural Products
	OREGON TILTH CERTIFIED ORGANIC OTCO Goods and services: organically grown or processed agricultural products, including fruits, vegetables, nuts, livestock and dairy products for human and animal consumption Type of mark: Certification Mark—The certification mark, as used by persons authorized by the certifier, certifies that the products are organically grown or processed. Owner (Applicant): Oregon Tilth, Inc. (Corporation)
South Dakota	
	Electronic Marketing
	DAKOTA FLAVOR Goods and services: promoting the goods and services of others by passive and active marketing of individuals' and entities' products or services via an electronic, Web-based database, and other media and personal interaction Type of mark: Service Mark Owner (Applicant): South Dakota Department of Agriculture (State Agency)
Tennessee	
	Seeds
	TENNESSEE CERTIFIED Goods and services: seeds Type of mark: Certification Mark—The mark certifies the genetic identity and purity, minimum quantities of matter other than the pure seed, maximum moisture, and minimum percentage of germination. Owner (Registrant): Tennessee Crop Improvement Association (Non-Profit Association)
Texas	
	Leather, Textile, and Apparel Products
	NATURALLY TEXAS Goods and services: leather, textile, and apparel products Type of mark: Certification Mark—The certification mark, as used by the certifier or persons authorized by the certifier, certifies products approved by certifier as being composed of natural fibers originating in the state of Texas, or other natural fibers regardless of origin which are processed into products within the state of Texas. Owner (Registrant): Texas Department of Agriculture (State Agency)
	Multiple Agricultural Products
	GO TEXAN Goods and services: processed and natural food products for human consumption that are grown in the state of Texas or manufactured into products within the state of Texas; processed and natural food products for animal consumption that are grown in the state of Texas or manufactured into products within the state of Texas; fibers that are grown in the state of Texas and any products manufactured therefrom; textile goods and apparel products originating in the state of Texas, and other fibers, textile goods, and apparel products, regardless of origin, that are manufactured into products within the state of Texas; leather that is processed from Texas animals or manufactured into products

TABLE A.1. Continued

State/Region	Product/Protection
Texas	<p>Multiple Agricultural Products GO TEXAN (cont.) within the state of Texas; wine, beer and other beverages that are produced from ingredients grown in the state of Texas or that are processed in the state of Texas; native and Texas-grown plants; live animals that are raised in the state of Texas and animal products that are made from animals raised in the state of Texas or are manufactured or processed in the state of Texas, regardless of origin of the animals or animal products; wood products that are made from wood grown in the state of Texas or are manufactured or processed in the state of Texas, regardless of the origin of the wood. Type of mark: Certification Mark—The certification mark, as intended to be used by authorized persons, certifies that the goods, namely, foods for human and animal consumption, fiber, textile, apparel, and leather goods, wine, beer and other beverages, live animals and animal products, plants and wood have been found to originate from or are processed or manufactured into products, within the state of Texas. Owner (Registrant): Texas Department of Agriculture (State Agency)</p> <p>Organic Food and Fiber Products TEXAS DEPARTMENT OF AGRICULTURE ORGANICALLY PRODUCED CERTIFIED Goods and services: food or fiber products grown or produced by others on land certified as organic Type of mark: Certification Mark—The certification mark, as used by authorized persons, certifies that the goods, namely, food or fiber products bearing the mark, are grown or produced by others on land certified as organic within the state of Texas. Owner (Registrant): Texas Department of Agriculture (State Agency)</p>
Vermont	<p>Organic Agricultural Products VERMONT ORGANIC CERTIFIED VERMONT ORGANIC FARMERS Goods and services: organic agricultural products Type of mark: Certification Mark—The certification mark, as used by persons authorized by the applicant, certifies that the products to which the certification mark is affixed have been grown or produced organically in Vermont Owner (Registrant): Vermont Organic Farmers, LLC (Corporation)</p>
Virginia	<p>Multiple Agricultural Products VIRGINIA AGRICULTURE VIRGINIA'S FINEST Goods and services: promoting goods produced in Virginia through the distribution of printed materials, promotional contests, trade shows, exhibitions, and food festivals Type of mark: Service Mark Owner (Registrant): Commonwealth of Virginia Department of Agriculture and Consumer Services (State Agency)</p>
Wisconsin	<p>Cheese WISCONSIN REAL CHEESE and WISCONSIN STYLE HAVARTI Goods and services: dairy products, namely, cheese Type of mark: Certification Mark—the certification mark, as used by persons authorized by applicant, certifies that the cheese upon which the mark is used has been made entirely in the state of Wisconsin. Owner (Registrant): Wisconsin Milk Marketing Board, Inc. (Corporation)</p>

TABLE A.1. Continued

State/Region	Product/Protection
Wisconsin (cont.)	
Ginseng	<p>GINSENG BOARD OF WISCONSIN, INC. WISCONSIN GINSENG</p> <p>Goods and services: ginseng</p> <p>Type of mark: Certification Mark—The certification mark, as used by persons authorized by applicant, certifies that (1) the ginseng was grown in the state of Wisconsin; (2) the grower of the ginseng is a member of the Ginseng Board of Wisconsin; (3) grower of the ginseng is a Certified Pesticide Applicator; (4) ginseng grower follows chemical application guidelines as published by the Wisconsin Department of Agriculture, Trade, and Consumer Protection and the Environmental Protection Agency; (5) ginseng grower produces a low pesticide residue root; and (6) user of the mark is a member of the applicant's Seal program and has signed a contract agreeing to the foregoing.</p> <p>Owner (Registrant): Ginseng Board of Wisconsin, Inc. (Corporation)</p>
United States	
Fish Products	<p>U.S. GRADE A PACKED UNDER FEDERAL INSPECTION U.S DEPARTMENT OF COMMERCE</p> <p>Goods and services: processed fish products</p> <p>Type of mark: Certification Mark—This certification mark, as used by applicants for inspection, certifies that a processed fish product has been packed under inspection to assure compliance with the requirements for wholesomeness established for the product and of sanitation established for the preparation and processing operations, and has been certified by an inspector as meeting the requirements of such grade, quality, or classification.</p> <p>Owner (Registrant): National Oceanic and Atmospheric Administration (Federal Agency United States, U.S. Department of Commerce)</p>
Hardwood for Furniture	<p>SOLID HARDWOOD FROM THE USA</p> <p>Goods and services: connection with furniture</p> <p>Type of mark: Certification Mark—The certification mark, as used by persons authorized by the certifier, certifies that the furniture bearing the mark is manufactured from solid hardwood grown in the United States.</p> <p>Owner (Registrant): Hardwood Manufacturers Association (Association)</p>
Humanely Raised Animals	<p>FREE FARMED AMERICAN HUMANE ASSOCIATION MONITORED</p> <p>Goods and services: meats and poultry derived from humanely raised animals conforming to animal health and welfare certification standards developed by a non-profit welfare organization</p> <p>Type of mark: Certification Mark—the mark certifies that the goods meet the standards and qualifications, and testing requirements established by the certifier.</p> <p>Owner (Applicant): American Humane Association (Corporation)</p>
Ostrich Meat	<p>CERTIFIED AMERICAN OSTRICH</p> <p>Goods and services: meat products, namely, ostrich</p> <p>Type of mark: Certification Mark—The certification mark, as intended to be used by authorized persons, is intended to certify that the regional origin of the goods is the United States of America.</p> <p>Owner (Applicant): American Ostrich Association (Non-Profit Corporation Texas)</p>

TABLE A.1. Continued

State/Region	Product/Protection
United States (cont.)	
	Pears
	USA Goods and services: pears Type of mark: Certification Mark—the certification mark, as used by persons authorized by applicant, certifies that the goods bearing the mark consist of pears grown in the United States of America in one of the states of Oregon, Washington, and California. Owner (Registrant): Oregon-Washington-California Pear Bureau (Nonprofit Corporation)
	Rice
	U.S. RICE Goods and services: rice Type of mark: Certification Mark—The mark certifies that the rice to which the mark is applied is edible rice grown in the United States which is of uniform size, clean, and generally of high quality. (Last Listed Owner): Rice Council for Market Development Corporation (Assignee of Texas)

Source: U.S. Patent and Trademark Office 2003.

Note: This table presents products listed as of November 2003 and is not intended to be exhaustive for any state, region, or product. This list includes only the text in each trademark, although most of these marks also contain a graphic component. Some modifications have been made in formatting, punctuating, and condensing the data to assist readability and reduce the length of this table.

Appendix B: U.S. Trademarks and the “E.U. 41” List

TABLE B.1. Examples of filed or registered U.S. trademarks that use the same or a similar name as the 41 products proposed for WTO protection as geographical indications by the European Union

Product Name/U.S. Mark ^a	Protected Product
WINES AND SPIRITS	
Beaujolais (Wine produced in France)	
Service Mark as “Beaujolais”	Pots and pans from France (registered 2002)
Branded trademarks with “Beaujolais” in Name	French wines (Beaujolais Blanc Jadot and Beaujolais Saint Louis); U.S. meat ^b (La Ferme Beaujolaise)
Bordeaux (Wine produced in France)	
Trademarks as “Bordeaux”	Cookies (registered 1957); furniture; live plants; horse bridlery and saddlery
Branded trademarks with “Bordeaux” in Name	U.S. wine ^b ; French wine (including Clos L’eglise Grand Vin de Bordeaux Product of France, where “Clos L’Eglise” translates “Church’s Vineyard” and the trademark covers wines from the Bordeaux of France); several U.S. unrelated products (e.g., herbal supplements) include Bordeaux in the trademark name.
Trademark as “Bordeaux”	Trade Mark and Service Mark for advertising; namely, placing and preparing advertisements for others, promoting the sale of Bordeaux wines by providing hypertext links to the Web sites of others, dissemination of advertising matter, dissemination of advertising for others via an online electronic communication network, sample distribution; developing promotional campaigns for the sale of Bordeaux wine, public relations, economic forecasting and analysis, market analysis, arranging and conducting trade show exhibitions in the field of Bordeaux wine.
Bourgogne, also Burgundy (Wine produced in France)	
No Trademark as “Bourgogne”	
Branded trademarks with “Bourgogne” in Name	Wines from France; mustards from France; casino and gaming equipment
Trademark as “Burgundy”	Processed cherries in syrup (since 1939), clothing, chocolate coating used in food manufacturing; candy, sterling silver flatware, silver-plated hollow ware
Branded trademarks with “Burgundy” in name	U.S. wines; ^b French wines (e.g., Carte Noire Cellier Des Dauphins Cotes du Rhone—the English translation of “Carte Noire” is Black Label, “Cell Ier des Dauphins” means “the Cellar of Royalty,” and “Cotes du Rhone” connotes a varietal grape grown in a region of France analogous to the region of Burgundy); other products such as olives (Burgundy Pearls), bottles for wine bottling (Burgundy Prelude), and live trees and plants (Burgundy Belle)

TABLE B.1. Continued

Product Name/U.S. Mark^a	Product
Chablis (Wine produced in France)	
Trademark as “Chablis”	Mattresses and box springs (registered 1999); China dinnerware
Branded trademarks with “Chablis” in Name	U.S. wines ^b ; French wines; citrus-flavored wine; restaurant services
Champagne; also Champana (Wine produced in France)	
Trademark as “Champagne”	Cookies and crackers (registered 1991); tube microphone cables; metal locks; loudspeakers; mangos
Branded trademarks with “Champagne” in Name	U.S. and French wines; other beverages; other products Total of 163 uses of “Champagne” in all categories of live trademarks
Trademark as “Champana”	Suter Champana—“Champana” translates “Champagne.” Trademarked by an Argentine company (registered 2001)
Chianti (Wine produced in Italy)	
Service Mark as “Chianti”	Restaurant services (registered 1986)
Branded Trademarks with “Chianti” in Name	U.S. wines; Italian wines (including Chianti Classico Antiche Fattorie Isole E Olena, which translates as “Classic Chianti Wine from The Old Farms of Isole and Olena” and Chianti Vino Fasolini Dall’onda Borghese denominazione De Origine Controllata Prodotto E Imbot-tigliato Nella Fattoria Di Barberiano Delsa, which translates as “reserve,” “wine,” “denomination of origin control” and “produced and bottled in the Factories of”); restaurant services
Cognac (Wine produced in France)	
Trademark as “Cognac”	Women’s fur coats (registered 1966)
Branded Trademarks with “Cognac” in Name	French cognacs and Brandies (including Cognac Lautrec, shown as “Brandy, wine spirit benefiting of AOC [Designation Of Origin], ‘Co-gnac,’ wine spirit benefiting of AOC [Designation Of Origin], ‘Eaux De Vie de Cognac, alcoholic beverages on the basis of fermented and distilled grape juice); jewelry
Grappa (Brandy produced in Italy)	
Service Mark as “Grappa”	Restaurant services (registered 1999)
Branded Trademarks with “Grappa” in Name	Several Italian wine products. No marks for the following items on the EU list: Grappa di Barolo, del Piemonte, di Lombardia, del Trentino, del Friuli, del Veneto, dell’Alto Adige.
Graves (Wine produced in Italy)	
Trademark as “Grave(s)”	Graves: gin and other liquors (Registered 1934); Grave: snowboards (registered 1998)
Branded Trademarks with “Grave” in Name	Italian merlot and cabernet (including Cesari Duetorri Friuli Grave Merlot Franco Cesari, where the word ‘Friuli’ indicates a region of northeast Italy.)

TABLE B.1. Continued

Product Name/U.S. Mark^a	Product
Liebfrau(en)milch (Wine produced in Germany)	
Certification Mark as “Liebfraumilch”	The mark, as used by persons authorized by applicant, certifies origin in a geographical region in Germany and characteristics of quality as most recently defined by the German wine law. No records found for Liebfrauenmilch.
Branded Trademarks with Liebfraumilch in Name	One German wine with a supplemental trademark: Liebfraumilch Im Brautschleier Feiner Deutscher Rheinwein Rhein Hesse, where “Im Brautschleier” translates as “In The Wedding Veil” and “Feiner Deutscher Rheinwein” translates as “Fine German Rhine Wine.”
Malaga (Wine produced in Spain)	
Trademark as Malaga	Office furniture (registered 2001)
Branded Trademarks with “Malaga” in Name	Two wines from Spain
Marsala (Wine produced in Italy)	
Trademark as “Marsala”	Fresh olives and fresh grapes (registered 1987)
Branded Trademarks with “Marsala” in Name	One U.S. wine; one Italian wine
Madeira (Wine produced in Portugal)	
Trademark as “Madeira”	Sterling silver (registered 1955); motor vehicles; combs and hair-brushes; electric lighting fixtures; computer software, napkins; writing paper
Certification Mark as “Madeira”	The mark, as used by persons authorized by the certifier, certifies regional origin in Madeira and characteristics of sweetness, color, body, and flavor [specifically for wines from Portugal].
Branded Trademarks with “Madeira” in Name	U.S. wine; books; real estate; yarn and crafts
Médoc (Wine produced in France)	
No Trademark as “Médoc”	
Branded Trademarks with “Médoc” in Name	One French wine; French cocoa, chocolate, and candy
Moselle (Wine produced in Germany)	
No Trademark or Trademark Brand for “Moselle”	
Certification Mark for “Mosel”	The mark certifies origin in a geographical region in Germany and characteristics of quality as most recently defined by the German wine law.
Certification Mark for “Mosel-Saar-Ruwer”	The mark certifies origin in a geographical region in Germany and characteristics of quality as most recently defined by the German wine law of July 14, 1971.
Branded Trademarks with “Mosel” in Name	Four marks for German Mosel wines

TABLE B.1. Continued

Product Name/U.S. Mark^a	Product
Ouzo (Wine produced in Greece)	
No Trademark as “Ouzo”	
Branded Trademarks with “Ouzo” in Name	Several brands of Greek ouzo; recipe booklets, clothing, and ouzo registered as Ouzo Tirnavou (meaning “from the Greek town of Tirnavos,” registered by a Canadian company)
Porto; also Port (Wine produced in Portugal)	
No Trademark as “Porto” or “Port”	
Branded Trademarks with “Porto” in Name	Portuguese wines; one U.S. wine ^b ; olive oil from Portugal; coffee syrups; cigars; securities; clothing; many products with “Porto” in the trademark
Branded Trademarks with “Port” in Name	U.S. wines; Portuguese port wine; and wine registered by English (e.g., Jersey Channel Islands) and Spanish companies
Rhin; also Rhine and Rhein	
“Mosel” (Wine produced in Germany)	
No Trademark as “Rhin”	
Branded Trademarks with “Rhin” and “RHIN” in Name	One product with reference to a rhinoceros and one acronym
Trademark as “Rhine”	Perfumery (registered 1905)
Branded Trademarks with “Rhine” in Name	U.S. wines and Rhine-type wines ^b ; German wine; some non-wine products
Rioja (Wine produced in Spain)	
Certification Mark for “Consejo Regulado Denominacion Brigen Rioja”	The mark certifies regional origin (registered 1960)
Branded Trademarks with “Rioja” in Name	Spanish wines (several trademarks have words such as “Denomination of Origin as qualified by the Regulating Council,” “Rioja region,” and/or “produced and bottled in the Rioja region”); specialty meats and cheeses (Mexico company)
Saint-Emilion (Wine produced in France)	
No Trademark as “Saint-Emilion”	
Branded Trademarks with “Saint Emilion” in Name	Two French wines (one translates “first vintage Saint Emilion mark guaranteeing the origin of the product”)
Sauternes (Wine produced in France)	
No Trademark or Branded Trademarks for “Sauternes”	

TABLE B.1. Continued

Product Name/U.S. Mark^a	Product
Jerez, Xerez; also Sherry (Wine produced in Spain)	
No Mark as Jerez or Xerez; No Branded Trademarks for Xerez	
Branded Trademarks for Jerez	Five trademarks registered to companies from Spain described their goods and services as brandy; sherry; wine; or beer, ale, nonalcoholic beer, and food and beverage services
Trademark as Sherry	Tote bags and clothing (registered 1995); computer mouse and instructional manual kit
Branded Trademarks	U.S. wine; sherry Wine produced in Spain (English and Spanish companies)

OTHER PRODUCTS**Asiago** (Cheese produced in Italy)

Trademark as “Asiago”	Restaurant services
No Branded Trademarks	

Azafrán de la Mancha (Saffron produced in Spain)

No Mark as “Azafrán de la Mancha”	
Branded Trademarks with “Azafrán de la Mancha” in Name	Azafrán Los Molinos de la Mancha—English translation is “saffron, the Milles of La Mancha” (Spain); also Saffron Azafrán

Comté (Cheese produced in France)

Certification Mark for “Comte”	The mark certifies that the goods come from the Comte Division (an administrative division of France); that the goods are made only from cows’ milk; and that the cheese meets the hygiene, production methods, or standards of applicant. (Registered 1983)
Certification Mark for “Comte”	The certification mark is used by persons authorized by the certifier to certify that the goods come from the Comte Division (an administrative division of France); that the goods are made only from milk that comes from the Montbeliarde breed of dairy cattle, which are fed fresh grass or dry hay; and that the cheese meets the hygiene, production methods or standards and appearance methods or standards of the certifier. (Registered 1988)
Branded Trademarks with “Comte” in Name	French champagnes, wines, cognac, and liquors; an Argentine wine; live plants and roses

Feta (Cheese produced in Greece)

No Mark as “Feta”	
Branded Trademarks with “feta” in Name	U.S. feta cheese and cheese spread ^b ; Greek feta cheeses

TABLE B.1. Continued

Product Name/U.S. Mark^a	Product
Fontina (Cheese produced in Italy)	
No Trademark as “Fontina”	
Branded Trademarks with “Fontina” in Name	Food sauces and spices
Gorgonzola	
No Trademark as “Gorgonzola”	
Branded Trademarks with “Gorgonzola” in Name	Two Italian cheeses
Grana Padano (Cheese produced in Italy)	
Certification Marks	For Grana Padano (registered 1996), Grana Padano D.O.C., and GP Grana Padano. The certification mark, as used by authorized persons, certifies that the goods are produced in accordance with standards codified by the government of the Republic of Italy and adopted by the certifier, specifically (1) production methods (semi-fat cheese with hard, boiled and slowly-ripened paste, made of soured and curdled milk from dairy cows fed on green or dried fodder and milked twice daily, left to rest and partially skimmed by allowing the cream to rise naturally; made throughout the year; and naturally matured in cold stores at temperatures varying from 15 degrees to 22 degrees C); (2) characteristics (cylindrical, with slightly convex or straight flanks and slightly rimmed flat faces; diameter 35 to 45 cm. and flank height 18 to 25 cm., with allowances depending on the manufacturing technique; 24 to 40 kg. each (cheeses weighing less than 24 kg. are not accepted); dark external color, greased or natural gold-yellow; paste color is white or straw-yellow; fragrant and delicate aroma and taste; texture is finely grainy, radial scaly cut; and minimum 32% fat content in the dry matter); and (3) regional origin (the geographic territory comprised of the Italian provinces of Alexandria, Asti, Cuneo, Novara, Turin, Vercelli, Bergamo, Brescia, Como, Cremona, Mantova on the left bank of the Po River, Milan, Pavia, Sondrio, Verese, Trento, Padova, Rovigo, Treviso, Veneto, Verona, Vicenza, Bologna on the right bank of the Reno River, Ferrara, Forli, Piacenza and Ravenna).
Branded Trademarks with “Grana” in Name	U.S. cheeses (American Grana and Grana Cello); Italian cheese (Grana Biraghi); men’s and boys’ underwear and accessories (Grana)
Jijona y Turrón de Alicante (Nougat produced in Spain)	
No Mark for “Jijona y Turrón de Alicante”	
Trademark Brand with “Turrón de Jojona” or “de Jijona” in Name	El Artesano is a trademark that translates as “The Artisan,” and includes Turrón de Jojona, which translates as “Turrón from Jijona,” and Calidad Suprema, which translates as “Supreme Quality.” The El Artesano brand offers nougat and a variety of other sweets from Spain. Three other Spanish companies include “de Jijona” in trademarks and sell nougats, candies, and other edible products.

TABLE B.1. Continued

Product Name/U.S. Mark^a	Product
Manchego (Cheese produced in Spain)	
No Trademark as “Manchego”	
Certification mark as “Manchego”	The certification mark, as used by authorized persons, certifies that the goods manufactured by such authorized persons meet the standards established by the certifier and that such goods come from the La Mancha region of Spain. Such authorized persons are using the mark by applying it to labels or packages for the goods. (Trademark application filed in 1998)
Branded Trademarks with “Manchego” in Name	El Manchego Real has been filed by a U.S. company for wine. ^b
Mortadella Bologna (Pork sausage produced in Italy)	
Certification Marks	Two certification marks have been filed and the certification for both reads as follows: The certification mark as used by authorized entities certifies that the Italian sausage sold in connection with the mark has been manufactured in the area of the “Mortadella Bologna” which includes the following Italian regions: Emilia-Romagna, Piedmont, Lombardy, Veneto, Province of Trento, Tuscany, Marche and Latium; and that the Italian sausage has been manufactured in accordance with the rules and regulations concerning the manufacture of the protected geographical indication “Mortadella Bologna” according to Regulation No. 1549/98 of the European Union Committee. (Both marks were filed in 2001.)
Branded Trademarks with “Bologna” in Name	Due Torri Alcisa Bologna and GM Salumificio Giuseppe Musiani dal 1879 in Bologna-Italia are trademarks by Italian companies covering a variety of processed meats; bologna also used in trademarks by a U.S. meat company and for shoes and U.S. chicken bologna.
Mozzarella di Bufala Campana; also Mozzarella (Cheese produced in Italy)	
Trademark as “Mozzarella di Bufala Campana”	Registered to Consorzio per la Tutela del Formaggio Mozzarella Di Bufala Campana, Italy. (Registered in 2001) The English translation of “Mozzarella di Bufala” is “buffalo mozzarella.”
Branded Trademarks with “Mozzarella di Bufala” in Name	The applicants/registrants for the trademarks Galbani Bufala Mozzarella di Bufala Campana and Mozzarella Di Bufala Lupara are Italian companies.
Trademarks with “Mozzarella” in Name	Registered by a Wisconsin cheese company in 1988. This company also trademarked “Mozzarella Grande” and “Mozzarella Italian Cheeses.”
Branded Trademarks with “Mozzarella” in Name	Many trademarks include the word Mozzarella for pizza, cheese appetizers, restaurant services, and other products.
Parmigiano-Reggiano; also Parmesano and Parmesan (Cheese produced in Italy)	
Service Mark	For Parmigiano Reggiano (The English translation of “Parmigiano-Reggiano” is “of Parma” and “of Reggio.”)—The service mark covers promoting the awareness of the use of cheese, from the Parma-Reggio region of Italy, in food dishes. (Registered in 1993)

TABLE B.1. Continued

Product Name/U.S. Mark^a	Product
Parmigiano-Reggiano (cont.)	
Certification Marks	For Parmigiano Reggiano (registered in 1993), Reggiano, Parmigiano, Parmigiano-Reggiano. The description of all the marks reads as follows: The certification mark, as used by persons authorized by the certifier, certifies that the goods originate in the Parma-Reggio region of Italy, specifically the zone comprising the territory of the provinces of Parma, Reggio Emilia, Modena and Mantua on the right bank of the river Po and Bologna on the left bank of the river Reno.
Certification Mark	For Parmigiano Reggiano Consorzio Tutela (the English translation of “Consorzio Tutela Parmigiano Reggiano”)—The certification mark, as used by persons authorized by certifier, certifies that the goods originate in the Parma-Reggio region of Italy, specifically the zone comprising the territory of the provinces of Parma, Reggio Emilia, Modena and Mantua on the right bank of the river Po and Bologna on the left bank of the river Reno. (Registered in 1993)
Certification Mark	For Parmigiano Export Reggiano—The certification mark, as used by persons authorized by certifier, certifies that the goods originate in the Parma-Reggio region of Italy, specifically the zone comprising the territory of the provinces of Parma, Reggio Emilia, Modena and Mantua on the right bank of the river Po and Bologna on the left bank of the river Reno. The mark furthermore certifies that the cheese meets given standards for export quality; these include the cheese having matured at least for a period of time including the summer following the year of production and meeting all standards as to size, weight, color, flavor, aroma, internal structure, thickness of rind, and butterfat content.
Trademark as “Parmesan”	Registered by a Wisconsin company in 1986. This company also owns trademarks for “Grande Parmesan” and the wordmark “Grande Brands Parmesan Romano Fine Italian Aged Cheeses Made from Cultured Pasteurized Milk, Salt and Enzymes All Natural Blend Of Pure Parmesan Aged Over 10 Months And Romano Aged Over 5 Months”
Branded Trademarks with “Parmesan” in Name	U.S. companies have trademarks that include “Parmesan” for prepared poultry, restaurant services, seasonings, and appetizers. An Italian company has filed for several trademarks for cheese that includes Parma in the mark (e.g., Parma Cubes)
Trademark as “Parmesano”	Partly prepared packaged egg noodle dinner consisting of egg noodles, parmesan and romano cheese, and herbs. (Registered in 1985)
Pecorino Romano; also Romano (Cheese produced in Italy)	
Certification Mark	The certification mark, as used by persons authorized by the Consorzio, certifies (1) characteristics (hard; cylindrical shape with flat sides; generally produced in blocks between 20 and 35 kg in weight and between 25 and 35 cm in height; rind is eventually coated with white or black natural plastic films; compact, white or slightly straw-yellow body; characteristic piquant taste; minimum of 36% fat on the dried substance); (2) production methods (made from 100% whole, fresh sheep’s milk curdled with lamb’s rennet between October and July; dry or humid salted in special places; aged at least five months not for grating use or at least eight months for grating use); and (3) regional

TABLE B.1. Continued

Product Name/U.S. Mark^a	Product
Pecorino Romano (cont.)	
	origin (the area of Italy comprising the territory of the regions of Latium and Sardinia and the province of Grosseto [Tuscany]). Use of the term “Pecorino Romano” on cheese that does not meet all of the aforesaid requirements is punishable in Italy by fine or imprisonment. (Registered in 1997)
Collective Trademark	The mark includes the Italian words “Pecorino Romano,” meaning “Roman cheese made from sheep milk,” and the stylized representation of a sheep’s head within an inclined square. (Registered in 1985)
Branded Trademarks with “Pecorino Romano” in Name	The words “Pecorino Romano” are included in three trademarks for Italian cheese registered by a U.S. importing company.
Trademark as “Romano”	U.S. wine (registered 1985); cheese (registered by a Wisconsin company in 1987); shoes; ceiling fans, and electrical lighting fixtures
Branded Trademarks with “Romano” in Name	U.S. cheese ^b (registered by a Wisconsin company, also registered “Grande Brands Parmesan Romano Fine Italian Aged Cheeses Made from Cultured Pasteurized Milk, Salt and Enzymes All Natural Blend of Pure Parmesan Aged Over 10 Months And Romano Aged Over 5 Months”); many products with Romano in mark cover restaurants, clothing, jewelry, etc.; several trademarks that include Pecorino cover meats and sheep-milk cheeses.
Prosciutto di Parma; also Parma ham (Ham produced in Italy)	
No Trademark or Branded Trademarks for “Parma Ham”	
Certification Mark	The certification mark is used by persons authorized by the certifier to certify the regional origin of the product to which the mark is applied.
Certification Marks	For Parma Ham and Parma. Both certifications read as follows: The certification mark is used by persons authorized by the certifier to certify the regional origin of the product to which the mark is applied. (Registered to the Consorzio del Prosciutto di Parma, Parma, Italy, in 1996)
Trademark as “Parma”	U.S. wine (registered in 1960); flatware; pumps; scale race cars; faucets, floor tile
Branded Trademarks with “Parma” in Name	Parma Brand is registered to a U.S. meat company; several restaurant and food services
Prosciutto di San Daniele; also San Daniele ham (Ham produced in Italy)	
No Trademark or Branded Trademarks	
Certification Mark	The certification mark, as used by authorized persons, certifies that the prosciutto ham is produced in the restricted area set forth in Law No. 30 of Italy, dated February 14, 1990, and that the producers thereof use pork legs in carrying out at least 80% of their processing on an annual basis. (Registered in 1995)
Prosciutto Toscano (Ham produced in Italy)	
No Trademark or Branded Trademarks	

TABLE B.1. Continued

Product Name/U.S. Mark^a	Product
Queijo São Jorge (Cheese produced in Portugal)	
No Trademark or Branded Trademarks	
Reblochon or Reblochon de Savoie; Petit Reblochon; or Petit Reblochon de Savoie (Cheese produced in France)	
No Trademark or Branded Trademarks	
Roquefort (Cheese produced in France)	
Certification Mark	The certification mark is used upon the goods to indicate that the same has been manufactured from sheep's milk only, and has been cured in the natural caves of the community of Roquefort, Department of Aveyron, France.
Branded Trademark with "Roquefort" in Name	Chateau Roquefort is registered as a French wine.

Source: U.S. Patent and Trademark Office Internet site.

Notes: This table presents trademark usage as of November 2003 using the U.S. Patent and Trademark Office search engine but is not intended to be an exhaustive list of all trademarks for each category (e.g., the list does not include any transliterations in other alphabets). This table also includes only the words in each trademark although most of the marks also have a graphic component. The product names and descriptions indicate the E.U. country of origin.

The European Union proposes that protection also covers translations such as "Burgundy," "Champaña," "Coñac," "Port," "Sherry," "Parma ham," and "Parmesan/o," and transliterations in other alphabets.

^aTrademark, service mark, and certification mark are defined as in the text in Appendix A. The term Branded Trademarks indicates that the specified term appears somewhere in the mark but is accompanied by other text.

^bThe mark is registered to a U.S. company or individual with no indication whether the goods and services covered by the mark are produced domestically or imported.

Appendix C: Descriptions of the “Other Products” on the “E.U. 41” List

Table C.1 presents a condensed version of the official descriptions of the other (i.e., not wines or spirits) products that the European Union has proposed for GI protection under the TRIPS Agreement. The two designations by the E.U. Council Regulation on the Protection of Geographical Indications and Designations of Origin (Reg. NO. 1081/92) are Protection of Designations of Origin (PDO) and Protection of Geographical Indication (PGI).

For PDO designation, the product must be produced and processed and prepared within the specified geographical area, and the product’s quality or characteristics are “essentially due to that area.”

For PGI designation, the product must be produced or processed or prepared in the geographical area, and the quality, reputation, or other characteristics must be attributable to that area.

A third designation—EC Council Regulation on the Certificates of Specific Character (Reg. No. 2082/92)—is Traditional Speciality Guaranteed (TSG). For TSG designation, the product name must be specific in itself or express the specific character of the foodstuff. The product must be traditional or established by custom. Distinguishing features of the product must not be due to the geographic area this product is produced in nor entirely based on technical advances in the methods of production.

As shown in Table C.1, only agricultural products with PDO or PGI designation are included in the European Union’s current proposal for WTO-sanctioned GIs.

TABLE C.1. E.U. Descriptions of the “Other” Products Proposed for Protection as WTO Geographical Indications

Product Name Designation—Country	Description/Geographical Area/Link^a
Asiago PDO—Italy	<p>Description: Cheese made from cow’s milk and categorized as (1) half-fat, medium mature cheese made from semi-skimmed milk and described as “light,” medium mature, cylindrical or (2) full-fat mild cheese made from whole milk and described as “pressed.”</p> <p>Geographical Area: The entire territory of the Province of Vicenza and of the autonomous province of Trento and neighboring communes in the province of Padua and Treviso, which form a single area.</p> <p>Link: The territory defined enjoys largely homogeneous climatic and soil conditions that affect the fodder used to feed the dairy cows. Because of a migration of the local population due to events that occurred during World War I, the cheese that originated on the Asiago plateau spread to the adjacent foothill areas.</p>
Azafrán de la Mancha PDO—Spain	<p>Description: Saffron (<i>Crocus sativus L.</i>), a bulbous plant belonging to the Iridacea family. Between October and November, each bulb produces 1 to 3 flowers that form a tubular shape before opening into a lilac-purple cone. This is the rose of saffron and has long narrow petals. Saffron comes from the stigmas of these flowers.</p> <p>Geographical Area: Within the autonomous region of Castile-La-Mancha and encompasses districts of La Mancha in the provinces of Toledo, Cuenca, Ciudad Real, and Albacete.</p> <p>Link: Saffron is well suited to the climate of the production zone. The average altitude is approximately 700 m above sea level and the soils are predominantly dark and limy, with a sandy-clay texture. The climate is Mediterranean continental: generally mild with high levels of sunshine. Summers are hot and dry, and winters are cold. Low rainfall limits yields.</p> <p>Production practices have been passed down within families for generations. In an area where the average population density is less than 9 inhabitants per km² and there is a serious danger of desertification, saffron is an important crop because it allows approximately 10,000 families to increase their income between the end of the grape harvest and the beginning of the olive harvest. Saffron is part of the historic and cultural heritage of this region. Age-old growing traditions mean that those harvesting and trimming the saffron are highly qualified, and therefore the end product is of maximum quality.</p>
Comté PDO—France	<p>Description: Hard cheese made from cow’s milk, with pressed, cooked paste and a scrubbed rind in the form of a wheel, containing at least 45 percent fat.</p> <p>Geographical Area: The Jura Massif, Haute-Saône consisting of the communes in the departments of Doubes, Dura, Haute-Saône, and of certain communes in the departments of Ain Territoire de Belfort, Côte d’Or, Haute-Marne Saône et Loire, and Vosges.</p> <p>Link: Since the 11th century, farmers of the defined region have pooled their daily milk production to produce the Comté wheel at the fruitière, or local cheese dairy. The dairy cows, all of local breeds (Montbéliarde or Pie Rouge de l’Est), are fed forage from the specified region. Comté cheese production allows traditional agricultural activities to be maintained in the region.</p>

TABLE C.1. Continued

Product Name Designation—Country	Description/Geographical Area/Link ^a
Feta PDO—Greece	<p>Description: White table cheese stored in brine and produced from sheep's milk or from a mixture of sheep milk and goat milk, with the latter not exceeding 30 percent of the milk net weight.</p> <p>Geographical area: Macedonia, Thrace, Thessaly, Central Mainland Greece, the Peloponnese, and Lesbos prefecture.</p> <p>Link: The milk used for the cheese comes from fully adapted sheep and goat breeds reared traditionally in the defined geographical areas. Their diet is based on the flora of the areas.</p>
Fontina PDO—Italy	<p>Description: Semi-cooked cheese made from whole cow's milk, medium-mature, and cylindrical in shape.</p> <p>Geographical area: The entire territory of the autonomous region of Valle d'Aosta.</p> <p>Link: The typical mountainous environment of the region gives particular qualities to the raw material, which are reflected directly in the characteristics of the cheese. There is traditional rearing of the indigenous <i>pezzata rossa valdostana</i> cow breed and continuity of the technique used to make the cheese. The product is mainly distributed and consumed in Northern Italy.</p>
Gorgonzola PDO—Italy	<p>Description: Soft, uncooked table cheese with green/blue veining, made from whole cow's milk.</p> <p>Geographical area: The entire territory of the provinces of Bergamo, Brescia, Como, Cremona, Cuneo, Milan, Novara, Pavia, Vercelli, and the adjacent commune of Casale Monferrato in the province of Alessandria, forming a continuous area.</p> <p>Link: Climatic conditions of the production area are favorable for abundant and high-quality fodder used to feed the dairy cows and for the development of the microbiological agents that give the organoleptic and color characteristics to the cheese. The cheese has achieved wide distribution and is used with traditional cereal-based preparations typical of its area of origin.</p>
Grana Padano PDO—Italy	<p>Description: Half-fat cooked cow's milk cheese, cylindrical in shape, used as a table cheese or for grating. ["Grana" refers to the peculiar morphological characteristics of the curds, which are granular in texture.]</p> <p>Geographical area: The entire territory of the provinces of Alessandria, Asti, Cuneo, Novara, Turin, Vercelli, Bergamo, Brescia, Como, Cremona, Milan, Pavia, Sondrio, Varese, Trento, Padua, Rovigo, Treviso, Venice, Verona, Vicenza, Ferrara, Forli, Piacenza, Ravenna, and neighboring communes in the province of Mantua and Bologna, forming a continuous area.</p> <p>Link: The climatic conditions of the production area lead to abundant production and high-quality fodder for dairy cows. The intrinsic characteristics of the cheese have remained largely unchanged over time, because of the use of established techniques and the historical presence of highly specialized labor.</p>
Jijona y Turrón de Alicante PGI—Spain	<p>Description: Nougat produced from almonds, pure honey, sugars, egg white, and wafer in specified proportions; classed as "Supreme" and "Extra." Geographical Area: The municipality of Jijona in Alicante province; raw materials may come from Alicante, Castellon, and Valencia.</p>

TABLE C.1. Continued

Product Name Designation—Country	Description/Geographical Area/Link ^a
Jijona y Turrón de Alicante (cont.)	<p>Link: The abundant almond crop from the area, favored by the mild climate, and the abundance of honey in the Mediterranean area make for a product linked to local produce and processing techniques [this link is for Jinona de Alicante; the link for Turrón de Alicante is similar].</p>
Mortadella Bologna PGI—Italy	<p>Pork sausage, generally oval or cylindrical in shape, with natural or synthetic casings. The product undergoes prolonged cooking, is compact in appearance, and has an unelastic consistency with a cut surface of velvety appearance and uniform bright pink color. In a slice there must be not less than 15 percent of parlaceous white squares of adipose tissue. Mortadella Bologna possesses specific chemico-physical organoleptic characteristics in accordance with relevant production regulations.</p> <p>Geographic Area: The production area comprises the territory of the following Italian regions or provinces: Emilia-Romagna, Piedmont, Lombardy, Veneto, Province of Trento, Marche, Lazio, and Tuscany.</p> <p>Link: The link with the traditional production area consists in the technical skills of the operatives, insofar as they have developed production processes that fully comply with established tradition. Mortadella Bologna must be produced in accordance with a much stricter production process—the one used for centuries in the geographical area—than does ordinary Mortadella. In some regions, Mortadella bologna is simply referred to as Bologna.</p>
Mozzarella di Buffalo Campana PDO—Italy	<p>Description: Uncooked cheese made from whole buffalo milk with a spun texture, round or of a shape typical to the area of production: bite-size pieces, plait-shaped, pearl, cherry, or knot-shaped.</p> <p>Geographical area: The entire area of the provinces of Caserta and Salerno and neighboring communes of the provinces of Benevento, Naples, Latina, Frosinone, and Rome, forming a single geographical area.</p> <p>Natural factors: Connected both with the characteristics of the territory defined, which tends to be humid, and with the particular climatic conditions, which are favorable for raising buffalo.</p> <p>Human factors: The cheese is produced using a long-established processing technique and is traditionally consumed by the local population.</p>
Parmigiano Reggiano PDO—Italy	<p>Description: Half-fat, cooked cheese, slow maturing, and cylindrical in shape. Made from the milk of cows fed mainly on fodder from polyphite or lucerne meadows.</p> <p>Geographical area: The entire territory of the provinces of Parma, Reggio Emilia, Modena, and neighboring communes in the provinces of Mantua and Bologna, forming a continuous area.</p> <p>Link: The soil characteristics of the area, which runs from the ridge of the Appenines to the river Po, and the climatic conditions that affect both the natural flora and the particular fermentation characteristics of the product.</p>
Pecorino Romano PDO—Italy	<p>Description: Hard, cooked cheese made from whole sheep's milk, either medium-mature or mature, depending on whether it is for table use or for grating.</p>

TABLE C.1. Continued

Product Name	
Designation—Country	Description/Geographical Area/Link ^a
Pecorino Romano (cont.)	<p>Geographical area: The entire territory of the autonomous region of Sardinia and of the provinces of Rome, Frosinone, Latina, Viterbo, Rieti, and Grosseto, forming a single continental area.</p> <p>Link: The particular characteristics of the areas used for rearing sheep, particularly with free grazing on natural pastureland, which is rich in natural essences that impart particular qualities to the milk. Apart from the historic economic importance, the sheep-rearing concerns involved are characterized by the sociological aspects connected with the presence of a rural population in so-called marginal areas, which otherwise would be completely abandoned.</p>
Prosciutto de Parma (Parma ham) PDO—Italy	<p>Description: Seasoned, dry-cured ham with a curved exterior, without a distal part (foot), and without external blemishes likely to impair the product's image. The ham weighs between 8 kg and 10 kg, but not less than 7 kg. The ham has a mild, delicate flavor, is slightly salty, and has a fragrant and distinctive aroma. Once branded, Parma ham may be marketed whole, boned, put up in cuts of different shapes and weights, or sliced.</p> <p>Geographical Area: Parma ham is prepared in a specified area of the province of Parma. Pig rearing and slaughter take place in the Emilia-Romagna, Lombardy, Piedmont, Veneto, Tuscany, Umbria, Marche, Abruzzi, Lazio, and Molise areas, with special conditions regulating breeds, feeding arrangements, and rearing conditions.</p> <p>Link: The raw material and Parma ham are interconnected and linked with the productive, economic, and social development of the geographical area, which has determined their unique features. The raw material possesses characteristics attributable solely to the defined geographical macro-area. The development of pig farming in central and southern Italy, starting in Etruscan times and continuing to the present, features the rearing of heavy pigs that are slaughtered at an advanced age. This practice arose with indigenous breeds and evolved in line with environmental, social, and economic conditions—in particular, the cultivation of cereals and the processing of milk used for feed. The defined geographical macro-area contains a number of smaller areas with unique environmental features and special human skills that have allowed them to develop as areas in which Parma ham is produced. One of these areas, for example, enjoys unique ecological, climatic, and environmental factors attributable to air from the Versilian Sea. Tempered by passage through the olive groves and pine forests of the Val di Magra, dried in the Appennine passes, and enriched with the chestnut-perfumed air, this air-drying of Parma hams gives them their unique and delicate flavor.</p>
Prosciutto di San Daniele (San Daniele ham) PDO—Italy	<p>Description: Matured, dry-cured ham with a guitar-shaped exterior and distal part (foot). The flavor is mild, and the ham has a fragrant, characteristic aroma. Whole San Daniele hams weigh from 8 kg to 10 kg but never less than 7.5 kg. The hams are sold whole, boned, put up in cut form, or sliced.</p> <p>Geographical area: San Daniele ham is prepared only in the municipality of San Daniele del Friuli (Province of Udine, Region of Friuli-Venezia Giulia). Pig rearing and slaughter take place in Friuli-Venezia Giulia, Veneto, Lombardy, Piedmont, Emilia Romagna, Umbria, Tuscany, Marche, Abruzzi, and Lazio. Special conditions exist regarding breeds, feeding arrangements, rearing conditions, slaughter, and the suitability of the meat.</p>

TABLE C.1. Continued

Product Name	Description/Geographical Area/Link^a
Designation—Country	
Prosciutto di San Daniele (cont.)	<p>Link: The requirements determining the characteristics of the product are related to environmental conditions and natural and human factors. The raw material possesses characteristics attributable solely to the defined geographical macro-area as a result of the historical and economic development of the type of farming carried on. Production of San Daniele ham is determined by the type of farming against the background of the relief and microclimate of the defined micro-area. Within the defined area, development of breeds of pigs indigenous to central and southern Italy from earliest times has kept pace with the cultivation of cereals and the processing of milk used for feed. The rearing of heavy pigs that are slaughtered at an advanced age has determined the characteristics of the raw material. From earliest times, the objective has been the production of a matured ham in a number of areas particularly suited by virtue of their environmental attributes which, helped by available human skills, have provided the incentive for an authentic and original form of specialization.</p> <p>San Daniele is one of those few suitable micro-areas, given its hillside location in an area of stratified moraine, sheltered by the Alps, and enjoying the necessary microclimate through the combined impact of the moisture-retaining function of the gravelly layer of the hills and permanently cold winds from the North mixed above San Daniele with the warm breezes from the South by the natural vector of the Tagliamento riverbed, which determine the relatively dry climate with steady breezes considered to be ideal for the maturing of hams and which add characteristic features in the form of microflora from typical local species that determine the product's aroma.</p>
Prosciutto Toscano PDO—Italy	<p>Description: Salted, naturally cured, uncooked ham with a rounded shape, bowed at the top. The ham normally weighs about 8 kg to 9 kg and has a light to bright red color when sliced, with little infra- and intramuscular fat.</p> <p>Geographical Area: Prosciutto Tuscany processing takes place in the traditional production area that includes the entire territory of the Region of Tuscany. Production and slaughter of animals for raw material take place in the regions of Emilia-Romagna, Lombardy, Marche, Umbria, Latium, and Tuscany.</p> <p>Link: In particular, the unique character of the raw material is strictly tied to the defined geographic macro-zone. In the area that supplies the raw material, the development of livestock breeding is linked to the extensive cultivation of grains and to the processing of dairy products, which is particularly specialized and suitable for pig breeding. The justification for localized production of Prosciutti Toscano lies in the particular conditions of the microzone.</p> <p>The climate of Tuscany, which is very different from that of neighboring regions, is particularly well suited for optimal aging, allowing products to ripen slowly and healthily. The environmental factors are closely tied to the characteristics of the production area, where cool, wide valleys with abundant water and hilly wooded areas predominate and have a great influence on the climate and on the characteristics of the finished product.</p>
Queso Manchego PDO—Spain	<p>Description: Full-fat, pressed cheese; matured, from half-cured to cured; cylindrical with noticeably flat faces; pale yellow, hard rind; weight from 2 kg to 3.5 kg.</p>

TABLE C.1. Continued

Product Name	Description/Geographical Area/Link^a
Queso Manchego (cont.)	<p>Geographical area: Several municipalities in the provinces of Albacete, Ciudad Real, Cuenca, and Toledo, in the natural district of La Mancha.</p> <p>Link: The area is marked by its extreme climate, with sparse rainfall, variable winds, and clear skies, which makes it an arid region. The terrain consists of flat, relatively treeless land, with abundant saline plants and a substrate rich in limestone and marls, which is highly suitable for sheep grazing. These factors provide high-quality raw material, the main basis for the production of a renowned traditional cheese.</p>
Queijo Sao Jorge PDO—Portugal	<p>Description: Cured cheese, of firm consistency, yellowy, hard or semi-hard, with small and irregular holes spread over the whole mass, made from cow's milk.</p> <p>Geographical area: Island of Sao Jorge.</p> <p>Link: The handling and feeding of the cattle, based on natural pastures and the very special edaphological-climatic conditions, give unique and distinctive characteristics to this cheese.</p>
Reblochon or Reblochon de Savoie; Petit Reblochon or Petit Reblochon de Savoie PDO—France	<p>Description: Cheese made of whole, raw cow's milk with a pressed, uncooked paste. Presented as a flat cylinder weighing about 500 grams.</p> <p>Geographical area: Approximately 200 communes spread across the departments of Savoie and Haute-Savoie, France.</p> <p>Link: The link to the origin lies in the conditions governing the milk production: using local breeds and feeding the cattle without using ensilaged crops, which reinforces the effect of the flora in the mountain pastures. The link also lies in the tradition and reputation of Reblochon, which has served as a catalyst in the development of agricultural activity in the mountainous areas where the cheese is produced.</p>
Roquefort PDO—France	<p>Description: Cheese with a veined paste made from raw whole ewe's milk, cylindrical in form.</p> <p>Geographical area: Originally a vast area to the south of the Massif Central, possessing the same characteristics in terms of ovine breeds, vegetation and climate and characterized by an arid, wild landscape where sheep graze. Roquefort producers have encourage sheep breeding and milk production, so the milk used in the manufacture of Roquefort today mostly comes from the so-called "regional zone," which comprises most of Aveyron and part of the adjacent departments of Lozère, Gard, Hérault, and Tarn.</p> <p>Link: The special quality of Roquefort is a product of intimate collaboration between man and nature. It derives on the one hand from the characteristics of the traditional breeds of ewe that are fed in accordance with local custom and on the other hand from the unique atmosphere of the natural cellars in caves entirely hewn out of the rocks at the foot of the limestone cliffs of the Combalou, where a miracle of nature takes place to give Roquefort its incomparable flavor.</p>

Source: Defra 2003.

^aThese descriptions have been heavily condensed. The full Application for Registration for each of these products was found at <http://www.defra.gov.uk/foodrin/foodname/contents.htm> in November 2003. The term "Link" refers to the product's linkage to the natural, human, and geographical factors that qualify the product for designation as a PDO or PGI.

References

- Addor, F., and A. Grazioli. 2002. "Geographical Indications beyond Wines and Spirits: A Roadmap for a Better Protection for Geographical Indications in the WTO Trips Agreement." *Journal of World Intellectual Property* 5(6): 865-97.
- Brown, R. 2003. "'Global Differentiation in Meat Marketing' ... from a European Perspective." Presented at the U.S. Meat Export Federation Strategic Planning and Marketing Conference, Tucson, AZ, November 6.
- Consorzio Tutela Formaggio Asiago. 2003. "D.O.C. and D.O.P. Certifications." Home page, Consorzio Tutela Formaggio Asiago (English version). Vicenza, Italy. <http://www.asiagocheese.it/> (accessed November 18, 2003).
- Defra (Department for Environment, Food, and Rural Affairs). 2003. Listings of Application for Registration of food products. Defra Internet site, Government of the United Kingdom. London. <http://www.defra.gov.uk/foodrin/foodname/contents.htm> (accessed November 2003).
- European Commission. 2003. "Fischler Hails Signature of Wine and Spirits Accord as 'Great Achievement for EC-Canada Trade Relations.'" E.U. institutions press release, European Commission, September 17. http://europa.eu.int/rapid/start/cgi/guesten.ksh?p_action.gettxt=gt&doc=IP/03/1256|0|RAPID&lg=EN&display= (accessed May 2004).
- Goebel, B. 2003. "Geographic Indications and Trademarks—The Road from Doha." *The Trademark Reporter* vol. 93, pp. 964-95. <http://www.inta.org/downloads/goebel.pdf> (accessed November 2003).
- Gumbel, P. 2003. "Food Fight." *Time Europe*, Vol. 162, No. 9, September 8. <http://www.time.com/time/europe/magazine/printout/0,13155,901030908-480249,00.html> (accessed May 2004).
- Hong Kong Economic and Trade Office. 2003. "Multilateral System of Notification and Registration of Geographical Indications under Article 23.4 of the TRIPS Agreement." Communication from Hong Kong, China, to Special Session of the Council for TRIPS, World Trade Organization. April 23. Geneva, Switzerland. <http://www.info.gov.hk/ipd/eng/information/TN-IP-W-8.pdf> (accessed May 2004).
- Hayes, D.J., S.H. Lence, and A. Stoppa. 2003. "Farmer-Owned Brands?" (revised). Briefing Paper 02-BP 39, Center for Agricultural and Rural Development, Iowa State University. March. <http://www.card.iastate.edu/publications/synopsis.aspx?id=468> (accessed May 2004).
- Kraft Foods. 2003. "Kraft Grated Parmesan History." Web page, Kraft Corporation. Northfield, IL. <http://web.kraftfoods.com/kraftparm/faq.htm> (accessed October 2003).
- U.S. Patent and Trademark Office. 2003. U.S. Patent and Trademark Office Internet site, home page and Trademark Electronic Search System (TESS) page. Washington, DC. <http://www.uspto.gov/> (accessed November 2003).
- World Trade Organization. 1994. "Agreement on Trade-Related Aspects of Intellectual Property Rights: Annex 1C." Geneva, Switzerland. http://www.wto.org/english/docs_e/legal_e/27-trips.pdf (accessed May 2004).