Why Can't Vidalia Onions Be Grown in Iowa? Developing a Branded Agricultural Product

Roxanne L. B. Clemens
Iowa State University, rclemens@iastate.edu

Follow this and additional works at: http://lib.dr.iastate.edu/matric_briefingpapers

Part of the Agribusiness Commons, Agricultural and Resource Economics Commons, Agricultural Economics Commons, Economics Commons, and the Marketing Commons

Recommended Citation
http://lib.dr.iastate.edu/matric_briefingpapers/1

This Article is brought to you for free and open access by the CARD Reports and Working Papers at Iowa State University Digital Repository. It has been accepted for inclusion in MATRIC Briefing Papers by an authorized administrator of Iowa State University Digital Repository. For more information, please contact digirep@iastate.edu.
Why Can't Vidalia Onions Be Grown in Iowa? Developing a Branded Agricultural Product

Abstract
Declining grain prices, cyclical livestock prices, changing consumer preferences, and intense international competition for agricultural commodity markets have created a need for alternative production and marketing strategies. Iowa producers striving to break away from commodity production and to develop more lucrative value-added and niche markets must figure out how to increase both the consumer appeal and economic value of their products. Even if mild, sweet spring onions were a major cash crop in Iowa, producers could not market them as Vidalia onions. A legislated geographical limitation on supply is part of the success of Vidalia onions as an internationally recognized, branded product that can command a price premium in supermarkets across the United States. Vidalia onions are an example of how responding to consumer demand with a succession of marketing, legislative, and research events has protected a niche market from becoming oversupplied by producers. And, by protecting the name, quality, and image of an agricultural product through state ownership of the trademark, higher values are realized throughout the marketing chain.

Keywords
federal marketing order, niche market, retail price premium, trademark, Vidalia onions

Disciplines
Agribusiness | Agricultural and Resource Economics | Agricultural Economics | Economics | Marketing

Rights
Permission is granted to reproduce this information with appropriate attribution to the authors and to MATRIC at Iowa State University.
Why Can’t Vidalia Onions Be Grown in Iowa? 
Developing a Branded Agricultural Product

Roxanne Clemens 

MATRIC Briefing Paper 02-MBP 3 
September 2002

Midwest Agribusiness Trade Research and Information Center
Iowa State University
Ames, Iowa 50011-1070
www.matric.iastate.edu

Roxanne Clemens is managing director of the Midwest Agribusiness Trade Research and Information Center at Iowa State University. She may be contacted by e-mail at rclemens@iastate.edu, or by telephone at 515-294-8842.

The author gratefully acknowledges the information provided by several government and industry experts in developing this paper. In particular, Reid Torrance of the Georgia State Extension Service, George Boyhan of the University of Georgia, and R.T. Stanley of the Vidalia Onion Committee provided a great deal of useful information. However, the author takes responsibility for all content and is wholly responsible for any errors and omissions.

Supported in part by the Agricultural Marketing Resource Center, Iowa State University.

Available online on the MATRIC website: www.matric.iastate.edu. Permission is granted to reproduce this information with appropriate attribution to the authors and to MATRIC at Iowa State University.

MATRIC is supported by the Cooperative State Research, Education, and Extension Service, U.S. Department of Agriculture, under Agreement No. 92-34285-7175. Any opinions, findings, conclusions, or recommendations expressed in this publication are those of the author and do not necessarily reflect the view of the U.S. Department of Agriculture.

Iowa State University does not discriminate on the basis of race, color, age, religion, national origin, sexual orientation, sex, marital status, disability, or status as a U.S. Vietnam Era Veteran. Any persons having inquiries concerning this may contact the Office of Equal Opportunity and Diversity, 1031 Wallace Road Office Building, Room 101, 515-294-7612.
Executive Summary

Declining grain prices, cyclical livestock prices, changing consumer preferences, and intense international competition for agricultural commodity markets have created a need for alternative production and marketing strategies. Iowa producers striving to break away from commodity production and to develop more lucrative value-added and niche markets must figure out how to increase both the consumer appeal and economic value of their products. Even if mild, sweet spring onions were a major cash crop in Iowa, producers could not market them as Vidalia onions. A legislated geographical limitation on supply is part of the success of Vidalia onions as an internationally recognized, branded product that can command a price premium in supermarkets across the United States. Vidalia onions are an example of how responding to consumer demand with a succession of marketing, legislative, and research events has protected a niche market from becoming oversupplied by producers. And, by protecting the name, quality, and image of an agricultural product through state ownership of the trademark, higher values are realized throughout the marketing chain.

**Keywords:** federal marketing order, niche market, retail price premium, trademark, Vidalia onions.
WHY CAN’T VIDALIA ONIONS BE GROWN IN IOWA?
DEVELOPING A BRANDED AGRICULTURAL PRODUCT

Declining grain prices, cyclical livestock prices, changing consumer preferences, and intense international competition for agricultural commodity markets have created a need for alternative production and marketing strategies. Iowa producers striving to break away from commodity production and to develop more lucrative value-added and niche markets must figure out how to increase both the consumer appeal and economic value of their products.

An individual producer or processor planning to enter a niche market or considering expanding output for a market must have two crucial pieces of information. The first is the potential size of the market, to assess how many suppliers can be sustained by it. The second is how to protect the market against competitors that would eventually eliminate any long-term ability to command higher profits. In most cases, once a competitive advantage has been created, other suppliers quickly enter the market to capture the higher profits, and, just as quickly, those profits disappear. Thus, the first entrants into a new market are usually the only ones to profit before competition drives down prices. Identifying and so developing niche markets is an ongoing process for most suppliers.

This paper presents a case study of how one group of small and mid-sized agricultural firms developed a market for Vidalia onions. As will be discussed, even if mild, sweet spring onions were a major cash crop in Iowa, producers could not market them as Vidalia onions. The paper traces the history of the Vidalia onion from a single producer to legal recognition by the state of Georgia and the U.S. government and discusses marketing, value-added issues, economic impact, and risks faced by this industry. The final section presents some conclusions about the factors contributing to the success of branding Vidalia onions and implications for Iowa and other commodity-dependent states.
The Vidalia Onion Story

A Vidalia onion is one of 17 approved varieties of hybrid yellow Granex onions produced in a specified geographical area in Georgia. The mild, sweet flavor is attributed to a low-sulfur soil, short-day varieties, plenty of irrigation water, and moderate climatic conditions. Although few Vidalia onions are exported, the name is recognized internationally and it represents a proven success story in using effective marketing, legislation, and research to develop and protect a branded agricultural product.1

Beginning in April of each year, Vidalia onions are available on supermarket shelves nationwide and command a price premium. On May 7, 2002, for example, a price comparison showed that prices of Vidalia onions were 3¢/lb, 9¢/lb, and 33¢/lb more than the prices of other yellow onions in three supermarkets in Ames, Iowa. These prices were based on a 31¢/lb discount, a 21¢/lb discount, and the regular price, respectively, so the nominal premiums for the Vidalia onions were 34¢/lb, 30¢/lb, and 33¢/lb. Because of their popularity with consumers, Vidalia onions are often prominently displayed in a store’s produce section, especially in mid to late April when consumers are eager to purchase the first Vidalias of the season. At that time, retail prices are 30 percent to 50 percent higher than the sale prices offered after Vidalia onions have been in the stores for a while.

Even higher premiums can be found on the Internet, with one retail site offering 15 baby Vidalia sweet onions for $22.50, plus shipping. Mail-order prices on May 8, 2002, generally ranged from $1.10/lb to $2.49/lb (plus shipping) for mature onions, depending on package weight and onion size (medium, jumbo, or colossal). According to the University of Georgia Extension Service, about 70 percent of the Vidalia onion crop is distributed through grocery stores as a specialty item and 30 percent is distributed through roadside stands and mail-order businesses.

The following sections describe how the wide name recognition and consumer preference for Vidalia onions evolved and some of the advantages and problems associated with producing Vidalia onions.
Why Can’t Vidalia Onions Be Grown in Iowa?

The History of Vidalia Onions

Many of the Internet sites that advertise Vidalia onions include some version of “The Vidalia Onion Story.” In 1931, a farmer in Toombs County, Georgia, produced onions that were unusually sweet and mild. He managed to sell the onions in 50-pound bags at 7¢ per pound—a good price at the time—and other area farmers began producing onions. By the 1940s, the farmers’ market in Vidalia, Georgia, was doing a brisk business selling the onions to tourists. Although production was not limited to the immediate Vidalia area, the onions became known as Vidalia onions. By the mid 1970s, about 600 acres were devoted to producing the Vidalia onions, and a national marketing effort was begun. Production increased by almost tenfold during the next ten years.

State Legislation

In 1986, the Georgia legislature granted Vidalia onions legal status as a trademarked product through the Vidalia Onion Trademark Act (State of Georgia 1986). The legislation was largely in response to the practice of rebagging onions from other states and labeling them as Vidalia onions. The act authorized the Georgia Commissioner of Agriculture to create and protect the trademark for use in connection with the sale of Vidalia onions and Vidalia onion products. The trademark is held by the Georgia Department of Agriculture and authorizes the Commissioner of Agriculture to impose and collect license fees or royalties for use of the trademark, including use of the term “Vidalia onion” on labels of processed products (other than in the ingredients list).

The Markets section of the Georgia Department of Agriculture registers all Vidalia onion growers/packers each year, enforces the Vidalia Onion Trademark Act, and is responsible for maintaining and enforcing requirements of the U.S. Certification Mark License Agreement the department owns for use of the name “Vidalia.” Producers must apply for a license from the Georgia Department of Agriculture to sell Vidalia onions. On the application, which is submitted annually, growers must state the type of onions planted, total number of acres, and location. There is no cost for these licenses, which are issued in the spring before harvest.

For both the Vidalia Onion Trademark Act and the federal market order discussed in the following section, the Georgia Agricultural Extension Service played a key role in
organizing meetings that brought together producers, representatives from the state department of agriculture, and representatives from the U.S. Department of Agriculture.

**Federal Legislation**

In 1989, the Vidalia onion growers were granted Federal Marketing Order No. 955 through the U.S. Department of Agriculture’s Agricultural Marketing Service. Federal marketing orders are voluntary programs that help stabilize market conditions for fruit and vegetable products by allowing producers to work collectively to solve marketing problems. Table 1 presents general activities and responsibilities under federal marketing orders for agricultural products.

As with all federal marketing orders, No. 955 was initiated by producers. The order’s provisions are binding on all growers and handlers of onions produced within a strictly defined geographic area, which covers all or part of 20 Georgia counties (see Appendix A for a full definition of the marketing area). Section 955.6 of the marketing order defines a handler as “…synonymous with shipper and means any person (except a common or contract carrier of Vidalia onions owned by another person) who handles Vidalia onions,

<table>
<thead>
<tr>
<th><strong>Activity</strong></th>
<th><strong>Handler Responsibility</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Fund committee operations.</td>
<td>Pay assessments on a pro rata basis.</td>
</tr>
<tr>
<td>Establish minimum grade, size, quality, and maturity requirements to promote consumer purchasing and increase demand; set size, capacity, weight, and dimensions or pack of containers to eliminate deceptive containers and pricing practices.</td>
<td>Obtain federal or federal-state inspection and certification that the commodity meets applicable requirements.</td>
</tr>
<tr>
<td>Collect and publish shipment and other market information to effectively operate a marketing order program.</td>
<td>Submit any required reports to the committee on a periodic basis and maintain records.</td>
</tr>
<tr>
<td>Establish volume controls or provide reserve pools so excess production can be returned to the market during times of diminished supplies.</td>
<td>Requirements may include withholding a portion of the commodity received from producers for sale at a later time when market conditions improve.</td>
</tr>
</tbody>
</table>

*Source: USDA 2002.*
or causes Vidalia onions to be handled.” As currently written, the order does not authorize grade, size, quality, container, or packing regulations. However, federal inspection and grading standards for onions are used for Vidalias.

Federal Marketing Order No. 955 provides legal rights to Vidalia onion growers/handlers in three major areas. It (1) established the Vidalia Onion Committee, (2) extended legal status of the Vidalia onion to the federal level, and (3) allowed growers to fund research and promotion programs. The marketing order authorizes production research, marketing research and development, and marketing promotion programs, including paid advertising. All these programs are designed to improve the marketing, distribution, consumption, or efficient production of Vidalia onions. The current assessment rate is 12¢ per 50-pound bag or equivalent.

The Vidalia Onion Committee administers order No. 955. An executive director oversees daily operations, and members are nominated by the industry and approved by the secretary of agriculture. Regulations must be approved by two-thirds of the producers and approved by the secretary of agriculture. Every six years, growers vote on whether to continue the marketing order, and a two-thirds majority is necessary for approval. The most recent vote to continue the marketing order for Vidalia onions occurred in 2001.

**Extending the Marketing Year**

In 1990, the Vidalia onion was named the state vegetable of Georgia. Despite the legal status and increasing consumer recognition of Vidalia onions, growers faced a major limitation: the shelf life of Vidalia onions limited the availability of fresh product to about four months—from late April until mid-July. Onions were sometimes left in the fields in high-yield years because markets became oversupplied and there was no way to store excess supply (Stanley 2002). This problem was partly solved in 1990 when researchers from the University of Georgia adapted controlled atmosphere (CA) technology used in the apple industry to extend the storage time for Vidalia onions. Because of CA technology, Vidalia onions became available to consumers from April through December. Individual growers immediately began investing in CA storage, and production area more than tripled to an estimated 16,200 acres by 2000. Current CA capacity will hold about 50 percent of the annual crop, or about 20 million 50-pound bags. In addition to extending the selling season, producers can store product during times when prices are too low.
Maintaining Quality and Product Image

Quality Control

In an effort to improve quality control, the Vidalia growers agreed that all onions will be inspected and will pass U.S. #1 grade to be offered for sale as raw, whole onions in 2002. This is the first year that such stringent inspection and grading requirements have been implemented for the entire industry. The Georgia Department of Agriculture is actively involved in this initiative and is assisting handlers with some of the additional costs for 100 percent inspection. In the past, handlers that used state and federal inspection services bore the full cost. State inspectors under federal supervision conduct inspection and grading.

Protecting the Trademark

The practice of labeling and selling onions grown outside the production area as Vidalia onions was a serious problem before protective legislation was enacted. Now, investigations are generally initiated in response to specific complaints. Fines of up to $100,000 for labeling other onions as Vidalias have greatly reduced incidences of such mislabeling. The Georgia Department of Agriculture also contacts seed companies to determine what varieties of seed are being purchased and by whom. More recently, as use of the Internet as a marketing tool has increased, the state agriculture department has begun monitoring Internet sites to determine how the trademark is being used and what products are being offered for sale.

Health and Nutrition

The health attributes of onions—fat free, cholesterol free, low calorie—are emphasized in promotional materials for Vidalia onions. Table 2 shows nutritional information from a Vidalia onion Internet site. Scientific literature reports that onions contain phytochemicals such as quercitin, alliin, and others that have been linked in varying degrees to cardiovascular protection; anti-cancer, anti-ulcer, anti-allergy, and anti-viral activity; and cataract prevention. More pungent (hotter) onions contain more of these compounds than do milder onions, but some of these compounds are broken down by heat, and consuming raw onions gives the greatest benefit. Given the mild, sweet
flavor of Vidalia onions, consumers may be more likely to eat them raw than to eat more pungent onions raw.

**Homogeneity**

Vidalia onions are subject to the potential variability of most agricultural products, and inspection and grading help ensure homogeneity of the product that reaches supermarket shelves. Some growers believe that the attributes and marketing methods that make Vidalia onions successful as a branded commodity could be detrimental if the product were to become further differentiated. One industry expert noted that differentiating Vidalias for sale according to sweetness has not been popular with all growers because such differentiation could benefit some producers at the expense of others and could fragment the market. On the other hand, Vidalia growers have learned to be highly responsive to consumer demand and will adapt to that demand if consumers are willing to pay more to cover higher production costs for a more specialized product (e.g., organic Vidalia onions).

**Marketing**

To some extent, Vidalia onions have “marketed themselves.” Before the Vidalia Onion Committee was formed, growers received the benefit of a great deal of free publicity in national newspapers and magazines, which was invaluable to the industry.
Now, the Vidalia Onion Committee earmarks funds for marketing, allowing producers to promote their product collectively as well as individually. Then and now, producers/handlers have helped generate publicity by participating in taste tests, cook-offs, and other promotional activities. The annual Vidalia onion festival is an important local annual event, drawing thousands of tourists to the area. An Internet search revealed that Vidalia onions are often sold in fundraising activities, a form of marketing that helps maintain the image of the onions as a high-value specialty item.

Anecdotal evidence indicates that there have been mixed results in using the Internet as a marketing tool, but one producer reports that his firm’s Internet site has increased mail-order sales considerably, which is important because the mail-order part of the business commands higher profits than does selling wholesale to supermarkets. The Internet also allows producers/handlers to reach a vast audience in advertising prices for direct mail-order sales and for wholesale markets. Many sites provide nutritional information and recipes, provide consumer information on handling and storage, and sell peripheral items such as cookbooks, mixes, processed products, and souvenirs.

**Adding Value**

Producers receive some of the price premium that consumers pay in supermarkets, but some of that premium is absorbed by distributors and by the supermarkets themselves, and contracts with supermarket chains tend to muffle the effects of supply and demand (Torrance 2002). Thus, a smaller crop would not necessarily cause prices to increase as much as might otherwise be the case. In addition, supermarkets often use Vidalia onions as a loss leader, selling them at no profit or even at a loss to draw customers into the store.

To increase profits from their product, some producers are marketing further-processed specialty foods, such as Vidalia onion salsas, barbeque sauces, marinades, and pickles. Most of these products are offered via mail order and at shops run by the producers/handlers. Some of these value-added items are starting to get shelf space in supermarkets as well. These products provide a greater profit margin for growers by providing a direct link between producer and consumer, providing a use for smaller onions that otherwise would not be sold, and providing a way to use the onions in a
product with a longer shelf life. As noted, these value-added products are also licensed by the state, and royalties are collected for use of the Vidalia name on the label.

Only about 2 percent of the raw Vidalia onion crop is exported (Canada is the major export destination), with almost no overseas shipments, yet the trademark is recognized worldwide. Processed products may provide a way for producers to more fully penetrate international markets.

**The Bottom Line for Producers**

Research by Boyhan and Torrance (2001) shows that Vidalia onion growers consistently command a premium compared to growers of other spring onions, as shown in Table 3. The Georgia Extension Service estimated the farmgate value of the onions in 2000 at $94.5 million, or roughly $5,833/acre. Approximately 87 percent of all Vidalia onions are produced on family-owned and -operated farms of 15 acres or less. In 2000, there were an estimated 133 growers and 91 handlers. Under the Small Business Administration definition, most producers and handlers are considered small entities (having annual receipts of less than $500,000).

The estimated producer returns calculated by Boyhan and Torrance (2002) and shown in Table 4 indicate that production is profitable in a normal year. In addition to the value of the agricultural crop, products such as processed foods, cookbooks, mixes, and souvenirs bring in additional revenue. The annual onion festival in Vidalia, Georgia, is an important source of revenue to the community.

**Risks and Problems**

The steady progression of Vidalia onions to an internationally recognized, branded agricultural product is an unquestionable success story, but the market is not without risk, including all the problems inherent in producing an agricultural crop. As with any crop, the size of the Vidalia onion crop is dependent on weather conditions, insects, and diseases. This year, for example, unfavorable weather conditions and a fungal disease wiped out about 60 percent of the crop. The cost of the crop failure has been estimated at $50 million, and growers have requested federal disaster assistance (Glanton 2002).
| TABLE 3. Producer prices for spring non-storage onions, 50-pound bags |
|-----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Arizona         | 4.91 | 8.20 | 3.86 | 3.97 | 4.28 | 6.30 | 7.65 | 2.77 | 2.32 |
| California      | 5.90 | 9.00 | 4.01 | 7.00 | 4.90 | 7.15 | 7.05 | 5.95 | 5.30 |
| Georgia         | 12.70 | 14.84 | 10.35 | 14.05 | 15.25 | 13.80 | 15.45 | 13.55 | 13.00 |
| Texas           | 9.90 | 13.10 | 5.35 | 9.60 | 4.84 | 8.45 | 10.85 | 8.70 | 8.60 |

Source: Boyhan and Torrance 2001 (reprinted with permission).

| TABLE 4. Estimated costs and returns of producing one 40-pound box of Vidalia onions |
|---------------------------------|-----------------------------|
| Pre-harvest variable cost per box | $2.55                      |
| Harvest and marketing cost per box | 3.68                       |
| Fixed costs per box             | 0.63                       |
| Total budgeted cost per box     | 6.86                       |
| USDA/NASS^a estimated return per 40-pound box | 10.84 |
| Net profit                      | $3.98                      |

Source: Boyhan and Torrance 2002 (reprinted with permission).
^aNational Agricultural Statistics Service.

CA storage has extended the shelf life of the onions but also has created problems in the industry. Botrytis neck rot, a virtually undetectable disease, can ruin entire rooms full of onions in CA storage. Boyhan and Torrance (2002) report that up to 70 percent of all stored onions have been lost in a single season because of this disease. (Successful CA storage means being able to pack out and sell about 80 percent of the onions from storage.) In addition, the majority of investment in CA storage occurred in 1995. In 1996, an untimely frost devastated the crop and there was nothing to be stored. Many producers/handlers are still paying off their investments in CA storage.

As shown, Vidalia onion production is profitable, but the business is highly competitive and profits have declined by almost 50 percent during the past few years. Whereas producers used to clear approximately $4,000 per acre, clearing $2,000 per acre now is considered a successful year (Torrance 2002). Despite the premiums paid for Vidalia onions, the business is highly competitive and is pressured by onions produced in other states and other countries. CA adoption has helped change the traditional price structure and marketing schemes. In 1996, Tattnall County (where 50
percent of all Vidalias are produced) had 105 growers; today that number has fallen to less than 50 (Torrance 2002). As in many other agricultural areas of the United States, not all producers are successful; some exit the business, and the trend in size has been toward fewer and larger operations.

**Conclusions and Implications for Iowa**

The market for Vidalia onions is driven by consumers’ perception of these onions as a higher-value product compared with other onions and by their willingness to pay a premium for the product. The success of Vidalia onions as an internationally recognized, branded product is the result of responding to that demand with a succession of marketing, legislative, and research events. By protecting the name, quality, and image of an agricultural product through state ownership of the trademark, higher values are realized throughout the marketing chain.

The willingness of producers to work together and to adhere to regulations governing production and handling has been a major factor in the Vidalia onion story. The federal marketing order allows producers/handlers to pool resources for marketing and research while operating as independent agricultural businesses. As noted, Vidalia onion production is highly competitive and not without risk. It took many years to develop the current production and marketing systems that now serve as a successful example of producing a branded agricultural product that only these producers can supply within a finite production area.

Federal marketing orders are applied to fruits and vegetables (and nuts), so their development and use are limited to the products that can be covered by such an order. However, registering for a trademark is covered by federal legislation, so there is nothing to prevent the state of Iowa (or any other midwestern state) from identifying an Iowa-grown or processed version of the Vidalia onion, working with producers and processors to identify and develop a niche market, and registering a trademark to protect that market.
Appendix A

Production Area for Vidalia Onions

The following is a full definition of the marketing area for Vidalia onions in Georgia, as given in Federal Marketing Order No. 955 issued by the U.S. Department of Agriculture.

[Code of Federal Regulations]
[Title 7, Volume 8]
[Revised as of January 1, 2002]

TITLE 7—AGRICULTURE

CHAPTER IX—AGRICULTURAL MARKETING SERVICE (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), DEPARTMENT OF AGRICULTURE

PART 955—VIDALIA ONIONS GROWN IN GEORGIA—Table of Contents

Sec. 955.4 Production area.

Production area means that part of the State of Georgia enclosed by the following boundaries:

Beginning at a point in Laurens County where U.S. Highway 441 intersects Highway 16; thence continue southerly along U.S. Highway 441 to a point where it intersects the southern boundary of Laurens County; thence southwesterly along the border of Laurens County to a point where it intersects the county road known as Jay Bird Springs Road; thence southeasterly along Jay Bird Springs Road to a point where it intersects U.S. Highway 23; thence easterly to a point where U.S. Highway 23 intersects the western border of Telfair County; thence southwesterly following the western and southern border of Telfair County to a point where it intersects with Jeff Davis County; thence following the southern border of Jeff Davis County to a point where it intersects with the western border of Bacon County; thence southerly and easterly along the border of Bacon County to a point where it intersects Georgia State Road 32; thence easterly along Georgia State Road 32 to Seaboard Coastline Railroad; thence northeasterly along the tracks of Seaboard Coastline Railroad to a point where they intersect Long County and Liberty County; thence northeasterly and northerly along the southwestern border of Liberty County to a point where the border of Liberty County intersects the southern border of Evans County; thence northeasterly along the eastern border of Evans County to the intersection of the Bulloch County border; thence northeasterly along the Bulloch County border to a point where it intersects with the Ogeechee River; thence northerly along the main channel of the Ogeechee River to a point where it intersects with the southeastern border of Screven County; thence northeasterly along the southeasterly border of Screven County to the main channel of the Savannah River; thence northerly along the main channel of the Savannah River to a point where the northwestern boundary of Hampton County, South Carolina intersects the Savannah River; thence due west to a point where State Road 24 intersects Brannen Bridge Road; thence westerly along Brannen Bridge Road to a point where it intersects with State Road 21; thence westerly along State Road 21 to the intersection of State Road 17; thence westerly along State Road 17 to the intersection of State Road 56 and southerly to the northern border of Emanuel County; thence westerly and southerly along the border of Emanuel County to a point where it intersects the Treutlen County border; thence southerly to a point where the Treutlen County border intersects Interstate Highway 16; thence westerly to the point of beginning in Laurens County.

1. In this paper, the terms “brand” and “trademark” are used interchangeably. A trademark (brand) is a commercial source indicator, defined as a word, phrase, symbol or design, or a combination of words, phrases, symbols or designs that identifies and distinguishes the source of the goods of one party from those of others. Registering a brand with the U.S. Patent and Trademark Office gives the holder of the trademark broader legal rights and protections. Most brands are registered, but registration is not required to use a brand name or mark (Field 2002; U.S. Patent and Trademark Office 2002).
References


