



Promoting Intellectual
Property Rights in the
ASEAN Region

SEMINAR ON GEOGRAPHICAL INDICATIONS

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THE ROLES, FUNCTIONS AND BUSINESS MODEL OF THE COLLECTIVE GI ORGANISATION

1. Why an association?

Why a GI Association?

- The product is the heritage of a **community of producers**, which is responsible for creating the reputation of the product, based on specific know-how and practices.
- **All members** of this community should participate into the GI initiative.
 - ✓ stakeholders involved at various stages of production (*e.g.*, raw material producers, local communities/institutions, processors, distributors).
- A local product can only become a recognized GI if it is supported by a **mobilized and organized** community of producers, generally as an association, whatever is its legal form
- To avoid the **tragedy of GIs**: the under-utilization trap!

Key roles of the GI Association

- Draft the GI Specification.
- Participate in the implementation of the control.
- Identify and update the list of members (users).
- Provide technical consultancy (training, procedures, registration documents).
- Promote and market the GI product.
- Fight against misuses and infringements.

What the GI Association does **NOT** do ?

- Produce / process the product!
- Buy and sell the product!
- Own the product!

GI associations are managing GI, they are not producer cooperatives:

GI association usually need specialised staff to implement the duty of the association.

Draft and apply for GI registration

- In the EU: only a group or, subject to certain conditions, a natural or legal person, shall be entitled to apply for registration.
 - any association, irrespective of its legal form or composition, of producers and/or processors working with the same agricultural product or foodstuff

Contrast with Asia: application by government institutions

- Indonesia :
 - GI guidelines recommend association/cooperative
 - In practice: majority by local authorities
- Thailand:
 - In practice: majority by local authorities
- India:
 - In practice: majority by government institutions
- Vietnam:
 - GI belong to the State
 - In practice: always by local authorities

Implementation of the quality control

- The GI Association - within the Geographical area – before placing the product on the market, ensures the quality control by:
 - Providing tools for self-controls,
 - Managing “internal controls” of the production/processing site and of the final products
 - Choosing and coordinating with the external control body (if any)
 - Ensuring the traceability of all producers
 - Facilitating conflict resolution and provide arbitration in case of disputes
- Open questions:
 - mandatory to be member of the association to use the GI ?

- Promotion of the GI name: not the promotion of a particular producer/Enterprise
- Events / Fair /Festival
- Sales and tasting
- Flyers and booklets for consumers and producers
- Website of the association
- Collaboration with tourism offices
- Picture exhibition...

Protection against Usurpation

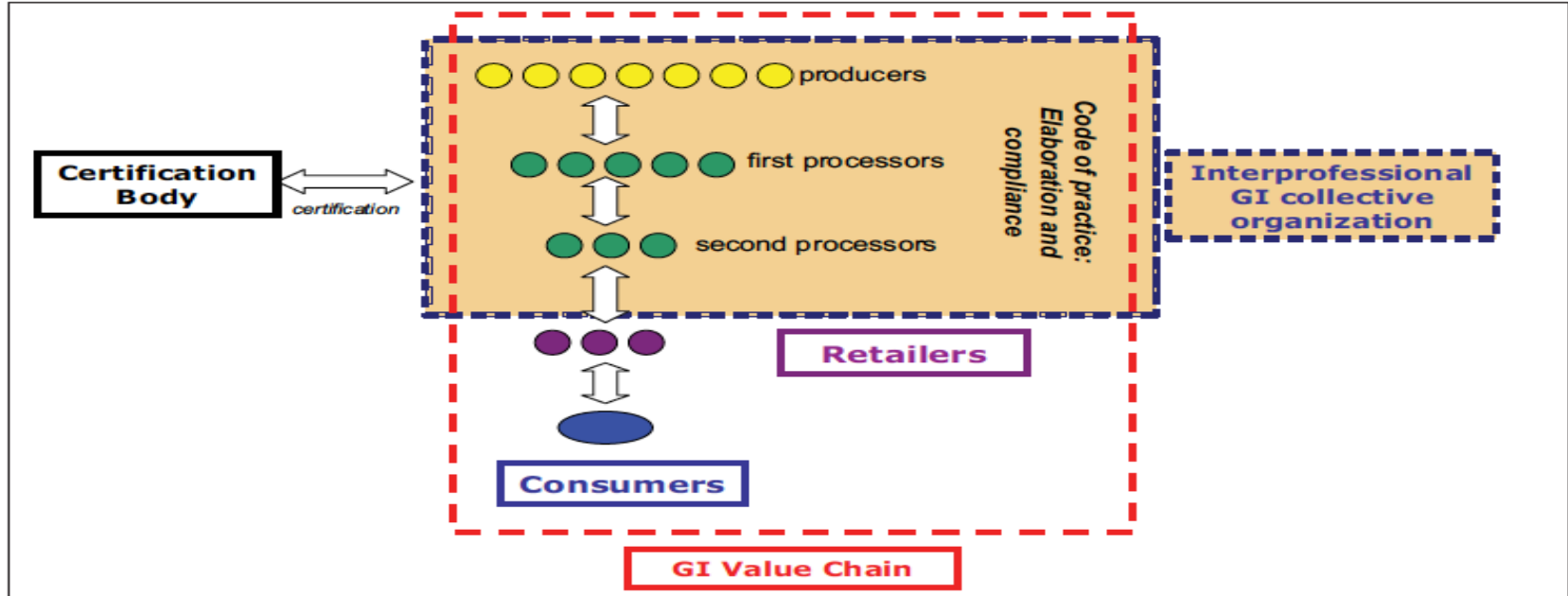
- mainly the role of authorities – “market police”, boarder protection to ensure that the GI is not be usurped.
- But the GI Association should contribute by
 - Market monitoring and alerting the competent authority
 - Legal actions in front of courts

2. Building the GI association

A representative GI Association

- **Important questions** to address:
 - ✓ Who should be part of the GI Association? Everybody (France) or representatives (Switzerland)
 - ✓ How will the different segments of the value chain be represented?
 - ✓ Should the GI Association be organized in “chambers”?
- **Prerequisite** = Understanding the value chain
 - ✓ Have clear picture of: the main stages of the value chain, the main stakeholders involved along the value chain, the flows of products (and by-products) along the chain.

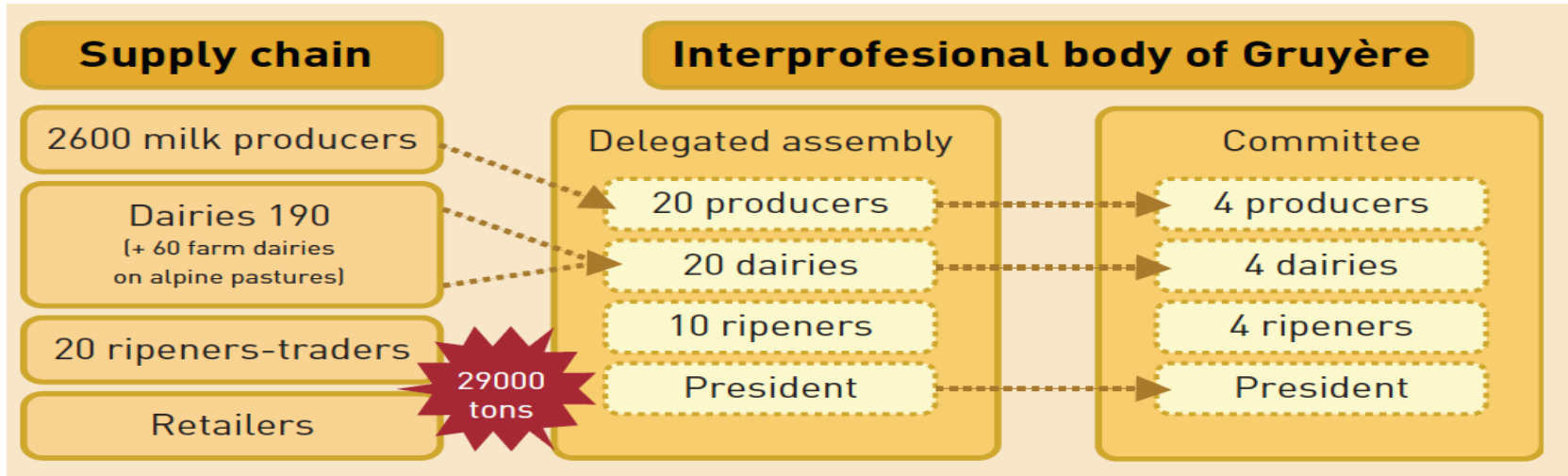
Representativeness: Include all stakeholders influencing the quality



Which GI Association?

- Various forms in the EU
 - Consorzio, Organisation de Défense et de Gestion (ODG): Consejo regulador, Interprofession or Interprofessional Body (IPB)
- Can be independent, or included in a wider organisation (Product boards)
- Non discriminatory membership to the Association: only criteria should be: the compliance with GI specifications
- Clear and transparent **rules** and **decision-making mechanisms**
- Can include, or not, regional government
- “Not for profit” organisation

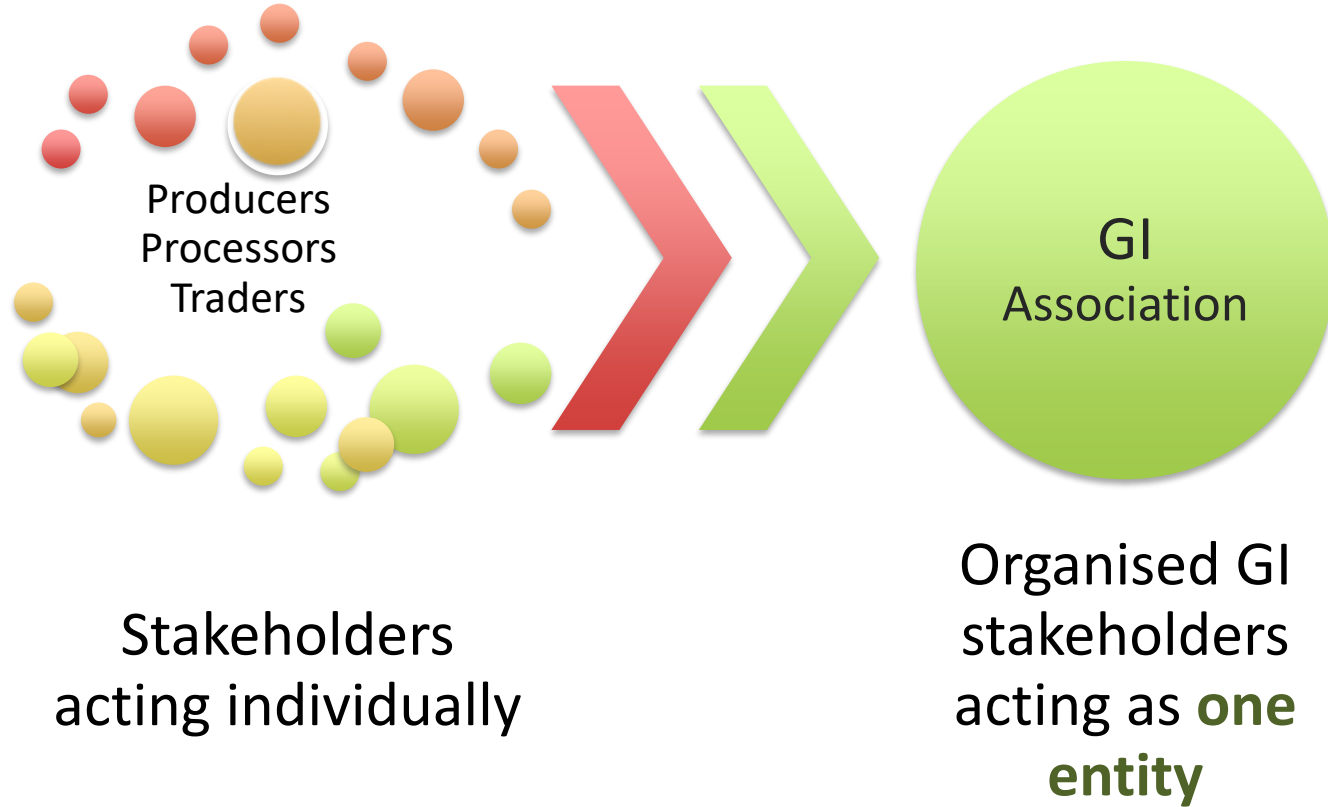
The governance of the Gruyère PDO



Mobilizing stakeholders: How ? (1/2)

- **Communicate** as widely as possible the concept and invite value chain stakeholders and public authorities to consultations
- Form a **working group of motivated individuals** (ideally, various types of stakeholders along the Value Chain)
- **Formalize the GI Association** by organizing the first formal “General Assembly”; by electing the committee (and others), secretariat; by collecting membership fees (according to the volume of production).

- **Work simultaneously on various issues**, only register GI once everything is ready
 - the GI specification
 - the control plan
 - the GI association (statutes, rules, traceability tools and income sources)
- **Balance** between GI Association/ public authorities.



Incomes of the GI Association

- All these services require money
 - Quality control and Promotion are the main costly services
- Internal Income (i.e., income generated by services provided to the members):
 - Annual membership fees
 - Contributions per volumes (CpV)
- External Income
 - Subsidies from various government institutions and or NGOS

Annual membership fees

- Should cover certain fixed costs:
 - decision structures (meetings of the board)
 - internal information (information leaflets)
- Gives the right to members to be informed and participate
- Should be set at a level that allows all to participate

Contribution per volume (CpV)

- GI users pay on the basis of the produce volume
- Important to identify the best point in the value chain where to perceive the contribution
- Usually the main source of finance
- In the EU the CpV goes from 0.5 % to 8% of the value of the final Product : (0.5% for Kampot Pepper)

3. Examples of GI associations: Sweet onions from Cévennes, Chili from Espelette (France)

Sweet Onions Cévennes, France



- 1987 Creation of the Association for the valorisation of sweet oignons
- 1991 Creation of the Cooperative “Origin Cevenne”s for the marketing
- 1996 Creation of the Association for AO registration
- From 2003 – 2010 :
 - recognition of GI Association by French national authority for GI (INAO),
 - application and registration at the EU level
 - validation of the control plan
 - choice of the control body: Qualisud

- Members:
 - 109 producers
 - 2 processors (= packaging and commercialisation)
 - 19 producers & processors
- Administration Board: 13 members
- Executive board:
 - 1 president, 1 vice president, 1 Secretary, 1 financial accountant
- Meetings :
 - 1 general assembly/year: 1 member = 1 vote
 - AB: 3 meeting /years, thematic meetings (promotion)

- Internal income
 - Fees of 30 € / ton sold with the AO
- External income from Provincial authority + EU
 - for promotion and communication
- Expenses:
 - 60% for the GI Association (particular internal control)
 - 30% for the external control
 - 10% for INAO

- Habilitation of the operators and Updating of the list
- Planification of the Controls
- 10% of the seedlings are controlled
- 100% of the annual production is controlled
- Follow up of the corrective actions
- Organisation of the sensorial analysis commission
- Management: software and data base

- Events / Fair/Festival
- Sales and tasting of the oignons
- Flyers and booklets for consumers and producers
- Website of the association
- Collaboration with tourism offices
- Picture exhibition

Promotion, communication: Chili Espelette

☒ Opening a museum of Piment d'Espelette

👉 30 000 visitors per year



☒ Offer communication tool

☒ Link between media and producers

Syndicat du Piment d'Espelette AOP
EZPEIETAKO BIPERRAREN SINDIKATUA



☒ Participating to events

✓ Salon International de agriculture (Paris)

✓ Local and national flavors competition



☒ Communication in social media



2310 followers

InterIG – Sète - 04 october 2018

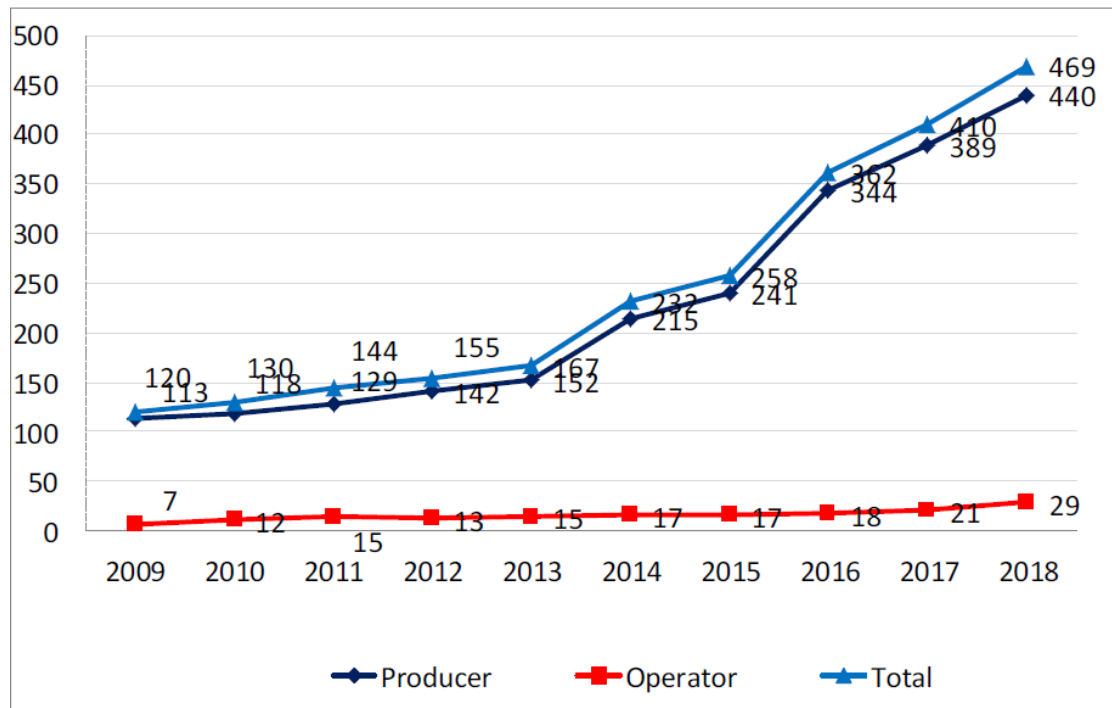
4. Example of Kampot Pepper Promotion Association, Cambodia

- Registered by Ministry of Interior N° 293 on 12th Dec.2009
- Address: AnkorCheyl, DamnakKantoutKhangTbong, Kampong Trach, Kampot
- Phone: 092 752 572 / 092 618 011
- E-mail: kppa2008@yahoo.com / kppa2008@gmail.com

Annual budget

ACTIVITIES	BUDGET	%
Board and executive committee meetings	USD 954	3.3
Meeting with members to disseminate statutes, internal rules, BoS and training on book of matter accounting	USD 250	0.9
Registration of new members	USD 565	2.0
Training to internal inspectors	USD 100	0.3
Internal control	USD 4,000	14.0
External control	USD 6,700	23.4
Closing monthly balance	USD 204	0.7
Promotion and Marketing	USD 2,840	9.9
Annual General Assembly	USD 2,000	7.0
Fighting againts frauds	USD 3,000	10.5
Pepper analysis including sensorial anlysis	USD 1,200	4.2
Staff salary and others	USD 6,850	23.9
TOTAL	USD 28,663	
TOTAL INCOME FROM SERVICE FEE ONLY	USD 40,000	
BALANCE	+ 11,337 USD	

Number of members of Association



Development of promotional tools

- Leaflets
- Banners
- Videos
- ...etc.

Promotion activities through:

- Website (www.kampotpepper.biz), radio, television, magazine and other medias
- Participation in exhibitions in Cambodia and abroad



2.5. Promotion tools of Kampot pepper

រម្ងាប់ កំពត KAMPOT PEPPER
"The taste of heritage"

Ingredients (serves 2)

- 300g Lean Beef Sirloin (skirt)
- 4g Fine Salt
- 20g Kampot Black Peppercorn
- 10ml Lime Juice
- 10g Red Curry Paste
- 5g Freshok - Fish Paste
- 1 Red Bell Pepper
- 1 Green Bell Pepper
- 10g Shallot
- 100g Beef Stock
- 20g Kampong Speu Palm Sugar
- 10ml Fish Sauce
- 10g Unsalted Butter
- 10ml Sunflower Oil
- 200g Green Papaya Pickle

RECIPE
Beef Skewers with Kampot black peppercorn




Visit our website: www.kampotpepper.biz

Method



1. Cut the beef in thick slices
2. Let the beef marinate with the Kampot black peppercorns and the red curry paste for 10 minutes
3. Slice the shallots, green and red bell peppers, and fry in a pan with salt and crushed pepper
4. Add the marinated beef to the hot pan and fry until the beef turns a golden colour
5. Serve on a plate with pickled green papaya on the side and a Kampot pepper and lime sauce

KAMPOT PEPPER
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GEOGRAPHICAL INDICATIONS
Protecting traditional brands for the benefit of rural producers

Kampot Pepper



Kampot Pepper is a unique blend of black, white and pink, it is grown in the Kampot region of Cambodia, where the climate and soil are ideal for growing this special pepper.

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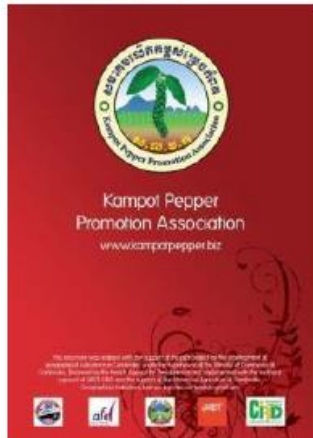
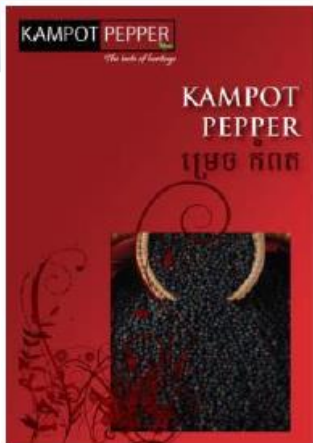
រម្ងាប់ កំពត KAMPOT PEPPER
"The taste of heritage"

Kampot pepper's specificity comes from the mildness of its spice, the freshness and complexity of its aroma, and its exceptional lingering taste.



Kampot pepper unique flavour and taste make it one of the best peppers in the world – unchallenged king of spice in the kitchens of the most renowned chefs.

Visit our website: www.kampotpepper.biz



Apron



Polo



Tee-shirt



5. Conclusions

- Producers' Association is the key player for managing the GI and making it successful:
 - many origin products exist, but only those supported by collective action will become successful GIs
- Better to create is as soon as possible:
 - when the GI is under construction
 - as deciding on the GI requirements for their product is motivating!



Thank you for your attention

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THANK YOU



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