



Food and Agriculture  
Organization of the  
United Nations



**The International Treaty**  
ON PLANT GENETIC RESOURCES  
FOR FOOD AND AGRICULTURE

**Views, Experiences and Best Practices as an example of possible options for  
the national implementation of Article 9 of the International Treaty**

*Note by the Secretary*

*At its [second meeting](#) of the Ad hoc Technical Expert Group on Farmers' Rights (AHTEG), the Expert Group agreed on a revised version of the [template](#) for collecting information on examples of national measures, best practices and lessons learned from the realization of Farmers' Rights*

*This document presents the updated information on best practices and measures of implementing Article 9 of the International Treaty submitted by France on 31 July 2019.*

*The submission is presented in the form and language in which it was received.*



## Template for submission of

### Measures, Best Practices and Lessons Learned from the Realization of Farmers' Rights as set out in Article 9 of the International Treaty

#### Basic information

- Title of measure/practice : Geographical indication
- Date of submission
- Name(s) of country/countries in which the measure/practice is taking place : France
- Responsible institution/organization (name, address, website (if applicable), e-mail address, telephone number(s) and contact person) :  
**INAO – Institut national de l'origine et de la qualité**  
**12 rue Henri Rol-Tanguy – TSA 30003**  
**93555 Montreuil Cedex - France**  
**<https://www.inao.gouv.fr>**  
**Phone (standard) : +33(0)1 73 30 38 00**  
**Director : Mrs Marie Guittard**
- Type of institution/organization (categories): **Public organisation / competent authority for geographical indication**
- Collaborating/supporting institutions/organizations/actors, if applicable (name, address, website (if applicable), e-mail address, telephone number(s))

#### Description of the examples

##### Mandatory information:<sup>1</sup>

- Short summary to be put in the inventory (max. 200 words) including:
  - Implementing entity and partners: **INAO and farmers' organisations applying for geographical indication (GIs, PDOs, PGIs)**
  - Start year : **1992**
  - Objective(s): **To identify an agricultural product, raw or processed, which quality, reputation or other characteristics are linked to its geographical origin**
  - Summary of core components
  - Key outcomes: **GI relevant to specific genetic resources associated with a geographic localisation was recognised such as: "Coco de Paimpol" for a dry beans' production located in Bretagne (status granted in 1998); "Lentille verte du Puy" for green lentils' production located in Auvergne; Espelette peppers in Pays Basque and Mogette de Vendee for another type of dry beans' production located in Vendée. Geographical indication leads to a higher price for farmers than for similar products in the same**

---

<sup>1</sup> This mandatory information is required in order for the measure/practice to be included in the Inventory.



**Food and Agriculture  
Organization of the  
United Nations**



**The International Treaty**  
ON PLANT GENETIC RESOURCES  
FOR FOOD AND AGRICULTURE

**food category. Quality labels offer a marketing message about high value-added products,**

- Lessons learned (if applicable)

Geographical indication leads to a higher price for farmers than for similar products in the same food category. Quality labels offer a marketing message about high value-added products.

It encourages many farmers' (small and large farms) groups in rural areas to initiate administrative procedure in order to obtain the GIs recognition and then to produce under the GIs.

The quality signs policy may result in more sustainable and responsible consumer choices. In addition the GI labels may made the agricultural chain more attractive to the final consumers compared to other commodities products.

- Brief history (including starting year), as appropriate
  - French legislation has for many years endorsed the use of a geographical name to identify products whose characteristics are connected with a particular locality and know-how, and to prevent their imitation. This legislation is founded on the concept of the protection of origin that was born out of the crises that rocked the French wine trade in the early 20th Century. From these painful beginnings came the Appellation of controlled origin system.
  - The appellation of origin concept emerged with the law of 1919 that established GIs (Geographical Indications) as collective intellectual property and granted legal recognition to unions for the protection of appellations of origin ('Syndicats de défense de l'appellation').
  - Formal recognition of appellations of controlled origin only came in 1935 with the passing of a new law that established a national committee for wine-growing AOCs (that in 1947 would become the Institut National des Appellations d'Origine, or INAO). From that point forward, AOC registration was subject to the committee's approval, based on a formal application defining the wine-growing area in question.
  - The AOC structure and rule system were later extended under the law of 2 July 1990 to include the entire agrifood sector.
  - Two examples:

*The Espelette pepper variety "Gorria" native to South America, was imported in the Basque country in the 16th century. Used in early times as a medicinal plant, the Espelette pepper is then used to preserve meat (ham is covered with Espelette pepper powder) and is used as pepper in Basque cuisine. The Espelette Pepper, after long years of efforts is finally recognized protected designation of origin "PDO" in the year 2000. Thus, since 2000, the cultivation of PDO Espelette Pepper is governed by a set of specifications for production and processing, to ensure the quality and traceability of the product.*

*The Coco de Paimpol native to South America was imported in 1928 by a fisherman in a French city Paimpol. Then he decided to grow this bean type in the Brittany area and it was a success. In 1998, Coco Paimpol was the first fresh vegetable to obtain the Appellation of controlled origin (AOC).*



- Core components of the measure/practice (max 200 words)

GIs may ensure that agri-foodstuffs are produced in a way that conserves local plant varieties, rewards local people, supports rural diversity and social cohesion, and promotes new job opportunities in production, processing and other related services.

Thus GIs are important to be protected not only because of their connection to quality, tradition and reputation; they also make a very valuable contribution to sustainable rural development. Several studies have shown that they have an important role to play in the regeneration of the countryside.

- Description of the context and the history of the measure/practice is taking place (political, legal and economic framework conditions for the measure/practice) (max 200 words)

In the EU, Geographical indications (GIs), protected designations of origin (PDOs) and protected geographical indications (PGIs) protect the name of a product from a specific region and with a particular traditional production process. To be eligible, a step among production, transformation or development must take place in a defined geographical area. GI is related to traditional and/or local skill, know-how and techniques that are due to human factors (such as growing of certain crops under certain pedo-climatic conditions; terraces, irrigation or milling systems have been allied to the production of particular products, with human skills helping to adapt to geographical constraints ...).

The Regulation (EU) No 1151/2012 on quality schemes for agricultural products and foodstuffs states that *'quality and diversity of Union's agricultural (...) production is one of its important strengths, giving a competitive advantage to the Union's producers and making a major contribution to its living cultural and gastronomic heritage. This is due to the skills and determination of Union farmers and producers who have kept traditions alive while taking into account the developments of new production methods and material'*.

In France, Title II of the intellectual protection Code (L721-1 to L.722-17) establishes the rules for geographical indications.

- To which provision(s) of Article 9 of the International Treaty does this measure relate

Art. 9.1

**Art. 9.2a**

Art. 9.2b

Art. 9.2c

Art. 9.3



**Other information, if applicable**

- Please indicate which category of the Inventory is most relevant for the proposed measure, and which other categories are also relevant (if any):

No.	Category	Most relevant <sup>2</sup>	Also relevant <sup>3</sup>
1	Recognition of local and indigenous communities', farmers' contributions to conservation and sustainable use of PGRFA, such as awards and recognition of custodian/guardian farmers		
2	Financial contributions to support farmers conservation and sustainable use of PGRFA such as contributions to benefit-sharing funds		
3	Approaches to encourage income-generating activities to support farmers' conservation and sustainable use of PGRFA		X
4	Catalogues, registries and other forms of documentation of PGRFA and protection of traditional knowledge	X	
5	In-situ/on-farm conservation and management of PGRFA, such as social and cultural measures, community biodiversity management and conservation sites	X	
6	Facilitation of farmers' access to a diversity of PGRFA through community seed banks <sup>4</sup> , seed networks and other measures improving farmers' choices of a wider diversity of PGRFA.		
7	Participatory approaches to research on PGRFA, including characterization and evaluation, participatory plant breeding and variety selection		
8	Farmers' participation in decision-making at local, national and sub-regional, regional and international levels		
9	Training, capacity development and public awareness creation		X
10	Legal measures for the implementation of Farmers' Rights, such as legislative measures related to PGRFA.	X	
11	Other measures / practices		

<sup>2</sup> Please select only one category that is most relevant, under which the measure will be listed.

<sup>3</sup> Please select one or several categories that may also be relevant (if applicable).

<sup>4</sup> Including seed houses.



- In case you selected ‘other measures’, would you like to suggest a description of this measure, e.g. as a possible new category? \_\_\_\_\_
- Objective(s)
- Target group(s) and numbers of involved and affected farmers<sup>5</sup> : farmers applying for GIs.
- Location(s) and geographical outreach : France, the GI will then apply according to the specifications of the indications concerning the localisation.
- Resources used for implementation of the measure/practice : Farmers’ resources. They can be supported by ethnobotanists, quality sign associations, PGR curators...
- How has the measure/practice affected the conservation and sustainable use of plant genetic resources for food and agriculture?

It has positively affected the conservation of plant genetic resources but in a limited manner corresponding to the species and landraces concerned.

- Please describe the achievements of the measure/ practice so far (including quantification) (max 200 words)
- Other national level instruments that are linked to the measure/practice
- Are you aware of any other international agreements or programs that are relevant for this measure/practice?

GIs are also recognised at global level but the approaches are different according to national/regional legislation.

- Other issues you wish to address, that have not yet been covered, to describe the measure/practice

### Lessons learned

- Describe lessons learned which may be relevant for others who wish to do the same or similar measures/practices (max 250 words).

GI Registration gives exclusive rights to producers to use the registered name for their products. An advantage is that the right to use a product name is granted to the producers who made the original application, plus any other producers who can meet the specification requirements. With GI producers outside the geographical area and not meeting the specification requirements are excluded from using the registered name.

For GI related to plant genetic resources, the right to exclusive use the product name gives the producers concerned added value as they can distinguish their products such as coco de Paimpol or Espelette peper from those of competitors in the marketplace. At the same time, they are enabled to provide consumers clear information via the labelling on their product, irrespective of the number of intermediaries (distributors, wholesalers, retailers etc) in the supply chain. Explanation of the link between the product and the geographical area is an important element of the product specification. Applicants must demonstrate

---

<sup>5</sup> Any classification, e.g. of the types of farmer addressed, may be country-specific.



**Food and Agriculture  
Organization of the  
United Nations**



**The International Treaty**  
**ON PLANT GENETIC RESOURCES  
FOR FOOD AND AGRICULTURE**

a link between an area and the characteristics/ reputation of the product (e.g. particular environmental or other), including any natural or human factors at play.

Such exclusive right leads to a higher price for farmers than for similar products in the same food category. Quality labels offer a marketing message about high value-added products.



Food and Agriculture  
Organization of the  
United Nations



The International Treaty  
ON PLANT GENETIC RESOURCES  
FOR FOOD AND AGRICULTURE

- What challenges encountered along the way (if applicable) (max 200 words)
  - (i) Geographical indications are not recognised worldwide in a similar manner.
  - (ii) It is quite long and requires a lot of effort (documentation) to obtain the recognition of a geographical indication.
  - (iii) Local food production systems may left few records – partly because many of them were originally part of subsistence agriculture. The search for documented evidence is not an easy task, particularly since each product has its own specific history. The information obtained should be put in context.
  - (iv) The issue is also in relation to shared knowledge as a distinctive characteristic of local production. It may relate to a particular breeding or growing practice, or any production method or mode of consumption that helps to define a product and root it in local culture. The description of such shared knowledge can encounter difficulties to find common views between farmers.
  - (v) To set in place knowledge needed for seed multiplication/propagating material production depends largely on whether the plant is allogamous or autogamous, and whether it reproduces sexually (seed) or by vegetative propagation
  - (vi) Potential obstacles to protecting a geographical indication? Conflict with a prior mark, a Generic character, Homonymous with another geographical indications, conflict with the name of a plant variety or animal breed.
  
- What would you consider conditions for success, if others should seek to carry out such a measure or organize such an activity? (max 100 words)

It is recommended to establish an operational network for dialogue, mutual exchange to support farmers in their request for GI. The establishment of effective public-private collaborations, including with genebanks, ethnobotanists, plant genetic curators (national, regional, local levels) is crucial for appropriate documentation in GI registration.

### Further information

- Link(s) to further information about the measure/practice
  - <https://www.interfel.com/wp-content/uploads/2018/01/infographie-etude-siqo-web.pdf>
  - <https://www.inao.gouv.fr/eng/Official-signs-identifying-quality-and-origin/Protected-Geographical-Indications>
  - [https://www.legifrance.gouv.fr/affichCode.do;jsessionid=51010CA789852F165685CC2480B95FD9.tplgfr29s\\_3?idSectionTA=LEGISCTA000028742856&cidTexte=LEGITEXT000006069414&dateTexte=20190123](https://www.legifrance.gouv.fr/affichCode.do;jsessionid=51010CA789852F165685CC2480B95FD9.tplgfr29s_3?idSectionTA=LEGISCTA000028742856&cidTexte=LEGITEXT000006069414&dateTexte=20190123)
  - <https://www.inao.gouv.fr/Publications/Donnees-et-cartes/Informations-geographiques>
  - [https://euipo.europa.eu/tunnel-web/secure/webdav/guest/document\\_library/observatory/documents/reports/Enforcement\\_of\\_GIs/EUIPO\\_Geographical\\_Indications\\_full\\_report\\_en.pdf](https://euipo.europa.eu/tunnel-web/secure/webdav/guest/document_library/observatory/documents/reports/Enforcement_of_GIs/EUIPO_Geographical_Indications_full_report_en.pdf)



Food and Agriculture  
Organization of the  
United Nations



**The International Treaty**  
ON PLANT GENETIC RESOURCES  
FOR FOOD AND AGRICULTURE

- [https://www.wipo.int/.../wipo\\_geo\\_bei\\_07\\_www\\_81757.doc](https://www.wipo.int/.../wipo_geo_bei_07_www_81757.doc)