

“The Protection of Geographical Indications and Traditional Speciality Guaranteed in the European Union Law (EUGIs)” Project’s Electronic Bulletin

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Erasmus+ Programme
of the European Union

“The Protection of Geographical Indications and Traditional Speciality Guaranteed in the European Union Law” Jean Monnet Module was supported by Erasmus+ Jean Monnet Activities Jean Monnet Modules and coordinated by Istanbul Technical University.

The module is the first Jean Monnet Module of Istanbul Technical University. The module started in 01 st September 2016 and will end will end in 31 th August 2019. During the protect “The Protection of Geographical Indications and Traditional Speciality Guaranteed in the European Union Law” course will be given to the students of Istanbul Technical University and other related people.

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A) NEWS ABOUT THE PROJECT:

The Opening Ceremony of the Jean Monnet Module:

The Opening Ceremony of the Jean Monnet Module “The Protection of Geographical Indications and Traditional Speciality Guaranteed in the European Union Law” was held on 17th February 2017 at Istanbul Technical University together with module coordinator Dr.Didem Özgür, key staff and Dean of Faculty of Chemical and Metallurgical Engineering Prof.Dr.Beraat Özçelik, head of Food Engineering Department Prof.Dr.Gürbüz Güneş, and key staff of the project Assoc.Prof.Dr.Levent Kirval from Faculty of Maritime, Department of Basic Science Department.

The students who take the course will not only learn the basic concepts of European Union but also they they will learn the protection system of geographical indications and traditional specialities guaranteed in the world, ,in the EU Law, and in Turkey. The project’s durattion is from 2016 to 2019. The aim of the project is to creat awareness between the stakeholders like academia, industry, public and private sector.

For more details of the project:

<https://eacea.ec.europa.eu/JeanMonnetDirectory/#/project-details-screen/fileNo=574675-EPP-1-2016-1-TR-EPPJMO-MODULE> and <http://ec.europa.eu/programmes/erasmus-plus/projects/eplus-project-details-page/?nodeRef=workspace://SpacesStore/68bebb7b-3731-438e-9c69-0ee1f50829b1>



Erasmus+ Centralized Actions Info Day:

Erasmus+ Centralized Actions Info Day was held on 31st October 2016 in Istanbul organized by Turkish National Agency. In the Info Day Dr.Didem Özgür who is the module coordinator of the “The Protection of Geographical Indications and Traditional Speciality Guaranteed in the European Union Law-EUGIs” module, made a presentation about the module as a success story.



“Protection of Geographical Indications and Designations of Origin for Agricultural Products and Foodstuffs in the EU Law” Lecture:

Dr.Gail Elizabeth Evans, module’s key staff from Queen Mary University of London gave a lecture about “Protection of Geographical Indications and Designations of Origin for Agricultural Products and Foodstuffs in the EU Law” on 05.05.2017 to the students of the module at Istanbul Technical University.



Study Visit:

Together with the module participants we visited Eataly to learn about Italy's registered geographical indications and designations of origins in the EU on 10.05.2017 and also we visited Fouchon to learn about France's registered geographical indications and designations of origins in the EU on 10.05.2017.



Internet Page and Social Media Accounts of the Module:

The internet page of the module is <http://www.eugis.itu.edu.tr/> In the internet page of the project there are information about the description of the project, impact of the project, team members of the project, events of the project, publications about the project, news, announcements about the project. The duration of the project is three years (2016-2019) and a new course was opened called “The Protection of Geographical Indications and Traditional Speciality Guaranteed in the European Union Law” for the students of Istanbul Technical University and other related people.

The syllabus of the course can be downloaded from
http://ssb.sis.itu.edu.tr:9000/pls/PROD/itu_icerik.p_download?file=GID438

Facebook Account of the Module is <https://www.facebook.com/EUGIs-778121785695013>

Twitter Account of the Module is <https://twitter.com/EUGIs2>

B)THE TEAM MEMBERS' PUBLICATIONS RELATED WITH THE PROJECT'S SUBJECT AND THE ACTIVITIES THAT THE TEAM MEMBERS PARTICIPATED ABOUT THE PROJECT'S SUBJECT:

The Specification Term on the Regulation (EU) No 1151/2012 of the European Parliament and of the Council on Quality Schemes for Agricultural Products and Foodstuffs Article:

The Module Coordinator, Dr.Didem Özgür's , “1151/2012 Sayılı Avrupa Parlamentosu ve Konseyi Tarım Ürünleri ve Gıda Maddeleri ile İlgili Kalite Düzenlemeleri Tüzüğünde Şartname Kavramı (The Specification Term on the Regulation (EU) No 1151/2012 of the European Parliament and of the Council on Quality Schemes for Agricultural Products and Foodstuffs – in Turkish)”, article was published in Dokuz Eylül University Faculty of Law Review, Volume 18, Number 2, 2016. The article can be downloaded from <http://hukuk.deu.edu.tr/wp-content/uploads/2017/04/DIDEM-OZGUR.pdf>

The Function of Geographical Indications in Protecting Environment and Biological Variety Article:

Dr.Didem Özgür's and Prof.Dr. Beraat Özçelik's co-authored article ‘Coğrafi İşaretlerin Çevreyi ve Biyolojik Çeşitliliği Koruma İşlevi (The Function of Geographical Indications in Protecting Environment and Biological Variety-in Turkish) was presented in Food, Metabolism & Health: Bioactive Components and Natural Additives Congress in 28 November 2016 in Istanbul. The article was published in the congress's proceedings. The article can be downloaded from congress's proceedings
<http://dokam.itu.edu.tr/kongre/wp-content/uploads/2016/12/G%C4%B1da-Metabolizma-Sa%C4%9Fl%C4%B1k-Kongresi-2016-Bildiriler-Kitab%C4%B1.pdf>

4th International Seminar on Geographical Indications:

The module coordinator, Dr.Didem Özgür participated to the “4th International Seminar on Geographical Indications” from 27-28 October 2016 in Antalya, Turkey. The seminar was organised by The Union of

Chambers and Commodity Exchanges of Turkey, Local Products and Geographical Indications Research Network in Turkey, Turkish Patent Institute, Antalya Commodity Exchange, Organization for an International Geographical Indications Network, CIHEAM IAM Montpellier.

Branka Tomé from EU Commission, Abdelwahed el Aazoum from The Organization for an International Geographical Indications Network –oriGIn, Pellissier Jean-Paul from CIHEAM IAM Montpellier, Filippos Sekkas from Greek Ministry of Agriculture, Umut Kavlak from EU Delegation to Turkey and many other speakers from different institutions and countries participated to the seminar.

Detailed information about the seminar and presentations of the seminar are on the internet page of Local Products and Geographical Indications Research Network of Turkey <http://yucita.org/uluslararasi-etkinlikler>





Information Session on Geographical Indications:

Information Session on Geographical Indications took place at World Intellectual Property Organization on 28 March 2017 in Geneva Switzerland. Dr.Gail Elizabeth Evans who is the key staff of the module participated to the Information Session on Geographical Indications in 28 March 2017 in Geneva, Switzerland at World Intellectual Property Organization and made a presentation about “Features of the Different National and Regional Geographical Indication Protection Systems: Contemporary Models of Registration”. The presentations of the information session can be downloaded from http://www.wipo.int/meetings/en/details.jsp?meeting_id=42547

Sub-Regional Seminar on Traditional Knowledge and Sub-Regional Seminar on Geographical Indications:

Dr. Gail Elizabeth Evans who is the key staff of the module participated as a presenter to the Sub-Regional Seminar on Traditional Knowledge and Sub-Regional Seminar on Geographical Indications in Baku, Azerbaijan from 30-31 May 2017 organized by World Intellectual Property Organization and made presentations called “Intellectual Property, Traditional Knowledge And The Protection Of Distinctive Signs”, “The Case Study of the Practical Protection of Traditional Knowledge Through Distinctive Signs in European Countries”; “Other Avenues for the Protection of Distinctive Signs for Origin-Based Quality Products: The Use of the Trademark System and Other Legal Means”.

Current Issues on Industrial Property Seminar:

Current Issues on Industrial Property Law Seminar took place at 6th June 2017 at Istanbul Kultur University. Asst.Prof.Dr. Gökmen Gündoğdu who is the key staff of the module participated to the seminar and made a presentation called “The Relation between Trademarks and Geographical Indications and the Amendments about Geographical Indications in 6769 Numbered Turkish Industrial Property Law.”

C) NEWS-ANNOUNCEMENTS ABOUT GEOGRAPHICAL INDICATIONS:

Industrial Property Code and The Regulation about the Industrial Property Code Entered Into Force:

The New Industrial Property Code was published in the Official Gazette and entered into force on 10th January 2017.

There are articles about trademarks, patents, geographical indications and traditional specialties guaranteed in the Industrial Property Law. The Regulation about The Industrial Property Law published in the Official Gazette and entered into force on 24th April 2017. With the new law first the first time traditional specialty guaranteed term entered into the Turkish Legislation. There are some amendments regarding the registration of geographical indications. The objection procedure was amended. The objection period was six months in the previous Decree Law but now the objection procedure is now three months. The new applications made within this regulation are published in the Official Geographical Indication and Traditional Specialty Guaranteed Bulletin. Mediation is added in the application procedure. Logo became compulsory for geographical indications. There are amendments regarding the control procedure.

With the new law the name of the Turkish Patent Institute was amended and it became Turkish Patent and Trademark Office and geographical indications head of department was established in according to the new law.

Geographical Indications and Traditional Specialty Guaranteed's First Bulletin was Published:

Geographical Indications and Traditional Specialty Guaranteed's First Bulletin was published on 15th March 2017. In the Bulletin the applications of geographical indications and traditional specialty guaranteed is published for the national objection procedure.

Geographical Indications and Traditional Specialty Guaranteed's Bulletin's internet page is <http://www.turkpatent.gov.tr/>

The New Regulation Entered into Force about Official Controls in the European Union:

Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products was entered into force on 17th March 2017. The regulation has new articles about control issues of geographical indications, designations of origins and traditional specialties guaranteed. The regulation can be downloaded from <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32017R0625&from=EN>

Turkish Products whose Applications were Made to EU Commission:

Bayramiç Beyazı was applied to EU Commission as a Protected Geographical Indication (PGI) on 25.11.2016. Taşköprü Sarımsağı was applied to EU Commission as a Protected Designation of Origin (PDO)

on 04.01.2017. Malatya Kayısı was published in the Door Database as a Protected Designation of Origin (PDO) on 13.01.2017. Kayseri Sucuğu was applied to EU Commission as a Protected Geographical Indication (PGI) on 22.05.2017. Kayseri Mantısı was applied to EU Commission as a Protected Geographical Indication (PGI) on 22.05.2017.

Worldwide Symposium on Geographical Indications:

Worldwide Symposium on Geographical Indications took place from June 29 to July 1, 2017 in China. The presentations of the symposium can be downloaded from

http://www.wipo.int/meetings/en/details.jsp?meeting_id=42946

D) NEWS AND ANNOUNCEMENTS ABOUT EUROPEAN UNION:

EU Commission Published a Report about Impacts of EU Trade Agreements on the Agri-Cultural Sector:

In the report impacts of EU Mexico, South Korea and Switzerland on the Agri-Cultural Sector were analyzed. In the report it is stated that trade agreements boosted the export potential of EU and the employment in the agri-cultural sector was increased as a result of the trade agreements.

For more information about the report, https://ec.europa.eu/agriculture/sites/agriculture/files/external-studies/2016-bilateral-trade-agreements/final-report_en.pdf

Imports of organic products subject to new EU electronic certification system:

The new electronic certification system became applicable from 19th April 2017. This pioneering e-certification system will contribute to enhancing food safety provisions and reducing potential fraud. It will also reduce the administrative burden for operators and authorities, and provide much more comprehensive statistical data on organic imports.

Both paper and e-certification will be used during a 6-month transition period. As of 19 October 2017, organic imports will be covered only by e-certification.

For more information: http://europa.eu/rapid/press-release_IP-17-963_en.htm

Rome Declaration Published for the 60th Anniversary of European Union:

On 28 March 2017, as part of the 60th Anniversary of the European Union, the heads of state and government and the heads of the EU institutions came together in Rome to celebrate the 60th anniversary of the signing of the Treaty of Rome establishing the European Union. The Rome Declaration was published at the Rome Summit.

It was noted at the Rome Summit that the EU would act and advance as a Union at different speeds and intensity, but always in the same direction, as needed in the past and as required by the founding treaties. It was added that the doors of the EU will be open to the countries those are willing to join the Union in the future.

EU leaders commit to work in line with set goals, adhering to Rome Agenda.

The main objectives identified are listed as follows:

Security: Free movement, security at external borders, effective migration policy, fight against terrorism and organized crime.

Prosperity and Sustainable Growth: Strong, connected and developing Single Market, technological transformation, stable and strong Euro, continuous and sustainable economic growth, investments, structural reforms and developing Economic and Monetary Union, economic integration, energy security, clean and safe environment

Social Dimension: Economic and social progress, cohesion and integration, participation of social partners in policy making processes, gender equality, social equality, unemployment, discrimination, combating social exclusion and poverty, high quality education and training for young people, preserving cultural heritage and promoting cultural diversity

Global Power: Developing partnerships and partnerships with third countries, primarily promoting stability and prosperity in the east and south of the EU, the Middle East, Africa and the global level, a competitive and integrated defense industry, in cooperation with and complementing NATO a common security and defense policy, commitment to the United Nations and rule-based multinational system, promotion of free and fair trade, climate change policies

In the Declaration it is stated that the best tool for achieving the goals set for the future of Europe is the EU.

For more information about the Rome Declaration <http://www.consilium.europa.eu/en/press/press-releases/2017/03/25-rome-declaration/>

Erasmus Programme is Celebrating its 30th Anniversary:

Erasmus+ Programme started on 17th June 1987. In the first year only 11 countries (Belgium, Denmark, Germany, Greece, France, Italy, Ireland, The Netherlands, Portugal, Spain and the United Kingdom) and 3.244 students participated to the programme.

At first the programme only included the higher education sector but later on vocational education, adult education youth, school education and sports were included in the programme. During the 30 years the programme provided education, internship and volunteering opportunities to 9 million people.

Erasmus+ Programme started in 2017.

In the coordination of Turkish National Agency Turkey included in the programme in 2004. In this context between 2004-2016 Turkish National Agency allocated 900 million Avro to more than 28.000 projects and provided education, internship and volunteering opportunities to more than 400.000 people.

Annual Report of 2015 Erasmus+ Programme Published:

Annual report of 2015 Erasmus+ Programme was published. For more information,

<https://ec.europa.eu/programmes/erasmus-plus/sites/erasmusplus/files/erasmus-plus-annual-report-2015.pdf>

E) INTERVIEW:

PROTECTION of TRADITIONAL SPECIALITY GUARANTEED in the UK:

Dr. Didem Özgür^{*}**

Questions:

1. Do you help the applicants in preparing their specifications?

We are keen to encourage new applications under the scheme and work closely with colleagues in the UK devolved administrations: Scotland, Wales and Northern Ireland to do this. We work directly with producers to help them prepare their application documents and provide guidance and advice on how this can be best achieved.

2. Do you assist the applicants in their choosing their inspection authorities?

No, applicants must nominate their own inspection authorities. Provided these are independent and meet the right accreditation requirements (ISO 17065). In the UK, these can be Trading Standards or Environmental Health bodies linked to Local Councils.

* Expert, Dr. Didem Özgür, Istanbul Technical University EU Centre, ozgurd@itu.edu.tr

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3. Do you assist the producers when preparing their inspection reports?

We have provided some training for inspection bodies on the requirements of the legislation. Inspections are between the applicants/producers and the inspection bodies. They are encouraged to agree an inspection plan prior to verification inspections being carried out.

Previously, inspections were carried out on an annual basis, however, we have recently moved to a 3 year risk based cycle.

In the UK we require the first inspection to take place before the application is submitted to the European Commission. The rationale behind this is to ensure that the product specification is measurable and accurate but also to check that each stage of production is auditable.

4. Do you promote traditional speciality guaranteed scheme in UK?

Our promotional activities focus on all three designations; Protected Geographical Indication (PGI), Protected Designation of Origin (PDO) and Traditional Speciality Guarantee (TSG).

5. Do you have any recommendations to Turkish Producers and applicants?

A well established system for protecting Turkey's specialities already exists. Promoting and protecting the wealth of your national food heritage through registration can help preserve these traditional specialities for future generations to enjoy as well as protecting them from imitation. Protected food names have also been known to help promote local economies, especially those in rural areas, agri-business, food or gastro tourism, as well as local development. Let's not forget the benefits to consumers who can be certain they are choosing an authentic product with established provenance, and quality.

Protected products are identified as being premium products and as such can demand a higher price from similar products. Producers working with suitable products should be encouraged to preserve their goods. Although the procedure can be lengthy and time consuming, the benefits of registration will outweigh these small challenges. Perseverance is key.

6. Do you cooperate with trading standards officers?

Trading Standards Services in the UK have a dual role with regard to PFNs, they can be inspection bodies as well as being responsible for enforcement of legislation. We liaise with them to ensure both products from within the UK, EU and all other non-EU Member states registered under the PFN schemes are adequately protected by investigating any cases of non compliance.

Where are the applications published for national consultation?

<https://www.gov.uk/guidance/eu-protected-food-names-how-to-register-food-or-drink-products>

Further details of the UKs protected food names can also be found at:

<http://www.greatbritishfoodcampaign.com/>,

7. Do you cooperate with other EU Member States when protecting your registered products in other EU Member States?

We would negotiate with other EU Member States in circumstances such as when an opposition has been made to a UK application.

8. How many people are responsible for TSG in DEFRA?

The PFN team is part of the Great British Food Unit, of which there are currently 2-3 members of staff dedicated to working solely on PFNs.

9. What do you think of EU Regulation of 1151/2012? Are there any articles that should be modified or added to the regulation?

We do not have any issues with the working of the regulations as they currently stand, however in time the situation/ position may change and improvements or modification may be required.

10. Do you provide assistance to the producers when making their objections to EU Commission?

As the responsible body for the UK we assess the details of any opposition made, in order to check their admissibility under the requirements of the regulations. Defra will submit any opposition to the EU Commission on behalf of the opposing parties and participate in negotiations on their behalf if necessary.

11. Do you have any collaboration with Turkish Institutes like Turkish Patent Institute?

Defra hosted a visit from the TPI in 2004. During that visit they met some UK producers of West Country Farmhouse Cheddar PDO to discuss the scheme.

12. Could you briefly explain the registration procedure in UK for TSG?

We work with producers to help develop the application specification. This may involve visiting the producers to see production and gain a better understanding of the product. We assist with making sure the application is developed to its full potential and meets the requirements of the scheme.

The application procedure for all PFN applications in the UK is as follows:

- Submission of application form including draft product specification and supporting documentation to the relevant examining body –DEFRA for England, relevant devolved administration points for Scotland, Wales and Northern Ireland.
- Examination of the application by the relevant examining body begins. This phase involves exchanges of correspondence and if necessary meetings with the applications to help build up the application to the required level of detail.

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- When the application has been completed to its full potential, the document is subject to the national consultation phase. This is carried out by the relevant examining body, and involves notifying interested bodies of the application and provides them with the opportunity to object if appropriate or commend on the application. Parties who wish to comment/object must state their intention to do so within 4 weeks. They will then have a further 8 weeks to give complete details of their comments/objections. Any queries and admissible objections must be addressed in liaison with both the applicant and interested party before the application can move to the next stage.
- Once any objections/comments have been addressed and the product specification is finalised, a request for the first verification of compliance inspection is made to the nominated inspection body. On receipt of the inspection report the application is passed to DEFRA, who, as the Competent National Authority for the UK, take a decision on the validity of the application.
- The application is submitted to the European Commission who have 6 months to examine the application. At this stage the Commission can make comments or request further information from the Member State in relation to the application.
- Once the Commission have concluded their scrutiny of the application, the single document is published in the EU Official Journal (OJ). This starts the three month EU wide consultation during which interested parties from outside the UK may lodge a notice of opposition. The notice of opposition must be followed within two months by a reasoned statement of opposition. At the end of the consultation period, if no notice of opposition is lodged then the product name is then entered into the EU register of protected names. This follows publication in the OJ of the regulation which grants legal protection to that name and enters the name in the EU register.

If however, valid objections made received at this point the affected Member States have 3 months in which to resolve the matter bilaterally. If no acceptable resolution can be reached then the final decision on registering the product is taken by the EU Standing Committee Meeting.

