

### **PAFO-COLEAD INNOVATIONS SERIES:**

Innovations and successes of African farmer-led businesses and SMEs

# SESSION N°22

From Farm to Table: Successes of origin-linked products in Africa

Tuesday 4 March 2025 - 12:00-14:00 UTC

Online (Zoom)

English-French-Portuguese interpretation available

#### 1. Context

In an era where consumers are increasingly conscious of the origins of their food, origin-linked products are gaining significant momentum. This shift presents a major opportunity for producers—particularly small-scale and rural businesses in the agri-food and creative industries—who no longer need to compete on price with generic, mass-produced goods. Instead, they are valued for their craftsmanship and expertise in producing traditional products with distinctive qualities, attributes, and reputations deeply rooted in ancestral knowledge and the unique characteristics of their place of origin.

Tools such as Geographical Indications (GIs), quality labels, and origin consortia enable producers to capture the added value of their unique products while ensuring their heritage is protected. Beyond financial benefits, GIs play a vital role in promoting sustainable agricultural practices by encouraging traditional, environmentally friendly production methods. For African producers, this translates into preserving biodiversity, reducing environmental impact, and fostering sustainable farming techniques. Additionally, the growing demand for sustainable products enhances the marketability of GI-certified goods, opening doors to eco-conscious consumers and premium markets worldwide.

Recognising the transformative potential of Gls in fostering economic growth, safeguarding traditional knowledge, and expanding trade opportunities, the African Union (AU) has developed a strategic framework to promote and regulate Gls across the continent. This strategy aligns with Africa's broader economic integration goals, particularly within the African Continental Free Trade Area (AfCFTA), and aims to empower local producers while preserving the continent's rich cultural and agricultural heritage.





### 2. Definitions and scope

A geographical indication (GI) is "a sign used on products that have a specific geographical origin and possess qualities or a reputation, or other characteristics essentially attributable to that origin". In order to function as a GI, a sign must identify a product as originating in a given place.

Geographical indications are typically used for agricultural products, foodstuffs, wine and spirit drinks, handicrafts, and industrial products.<sup>1</sup> By protecting the name and traditional production methods, Gls help preserve centuries of cultural heritage and artisanal knowledge, often encapsulated in the concept of 'terroir'. Examples include Parmigiano-Reggiano cheese from Italy, Champagne from France, and Darjeeling tea from India. These products are often produced using traditional methods passed down through generations, ensuring their unique attributes are preserved.<sup>2</sup>

Gls provide legal protection against misuse and imitation of products. This protection ensures that only authorised producers within the designated geographic area can use the Gl label, safeguarding the reputation and quality of the product. Additionally, Gls can facilitate access to international markets by meeting the stringent quality and origin standards required by many countries.

The term "geographical indications", in its broad sense, includes a variety of concepts used in international treaties and national/regional jurisdictions³, such as: (i) AO – appellation of origin is defined in the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration and in the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications; (ii) GI – geographical indication (spirit drinks) is defined in the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) and in the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications; (iii) PDO – protected designation of origin (food and wine) and PGI – protected geographical indication (food and wine), are terms used within the European Union (EU).

PDO status demands that all stages of production occur within a defined region, whereas PGI requires that at least one stage of production be local, thus ensuring the product retains its regional identity.

Other EU quality schemes emphasise the traditional production process or products made in difficult natural areas such as mountains or islands. 4

The success of Geographical Indications (GIs) relies on the collective efforts of producers and other key stakeholders within the value chain. A GI system's credibility also depends on rigorous internal and external control mechanisms that guarantee the product's authenticity and uphold consumer trust. GI products are deeply embedded in their communities, and their success depends on their ability to generate and fairly distribute value across the value chain. This is achieved through local value chain governance, where all relevant stakeholders—producers, processors, distributors, and other participants—are represented within associations that oversee the GI's management. By fostering inclusivity and shared responsibility, GIs become powerful tools for sustainable economic growth, cultural preservation, and market differentiation.<sup>5</sup>

Gls, recognisable by a logo, by a distinctive sign or by the inscription of the place of origin on the label, reassure consumers who perceive them as a sign of quality and authenticity. As for producers, they have a legal means of protecting their product and fighting against this fraud thanks to the legal protection granted by States.

<sup>&</sup>lt;sup>1</sup> World Intellectual Property Organization (WIPO). https://www.wipo.int/en/web/geographical-indications

<sup>&</sup>lt;sup>2</sup> World Intellectual Property Indicators 2024: Highlights - Geographical Indications Highlights

<sup>&</sup>lt;sup>3</sup> Differences between GI, AO, PDO and PG, <u>European Commission</u>. <u>Geographical indications and quality schemes</u>

<sup>&</sup>lt;sup>4</sup> European Commission. Geographical indications and quality schemes explained

<sup>&</sup>lt;sup>5</sup> Monique Bagal, Massimo Vittori and Luis Fernando Samper. <u>Manual for Geographical Indications in Africa</u>. EUIPO. 2023.



According to World Intellectual Property Organization (WIPO), of the 58,600 Gls in force in 2023, upper middle-income economies accounted for 52.2% of the world's total, followed by high-income economies (42.9%), lower-middle-income economies (4.8%), and low-income economies (0.1%). In terms of regional distribution, Europe had the most Gls in force, amounting to 52.5%, followed by Asia (39.5%), Oceania (3.6%), Northern America (2.8%), Latin America and the Caribbean (LAC) (1.6%) and Africa (0.2%). The LAC share was lower than in previous years because of data missing for Chile and Mexico, both of which have a substantial number of Gls in force within their territory. Of all the Gls in force, wines and spirits (48.1%) accounted for almost half of the 2023 global total, while agricultural products and foodstuffs accounted for 44.8%, and handicrafts 4.2% of the total.

#### 3. Registration process

A number of international treaties deal partly or entirely with the protection of geographical indications or appellations of origin. Under the World Trade Organisation (WTO) Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), all WTO member countries are required to provide effective legal means to protect Gls. The African Regional Intellectual Property Organization (ARIPO) facilitates the registration and protection of Gls across multiple African states. The Organisation Africaine de la Propriété Intellectuelle/African Intellectual Property Organization (OAPI) covering mainly Francophone Africa, oversees the examination of Gl applications and their registration and publication according to the Bangui Agreement creating an African Organisation for Intellectual Property. By November 2021, OAPI has registered 6 sui generis Gls - Poivre de Penja, Oku White honey (Cameroon), Café Ziama Macenta (Guinea-Conakry), Ananas du Pain de sucre du Plateau d'Allada-Bénin, Kilichi du Niger, Oignon Violet de Galmi – and a few collective geographical trademarks in its system. OAPI members have two options for protecting place-based products: collective trademarks and a sui generis system. Galmi purple onion (from Niger), Belle de Guinee (from Guinea) and Dogon Shallot (from Mali) are registered as collective marks under OAPI while Penja pepper (from Cameroon), Oku white honey (from Cameroon) and Ziama-Macenta coffee (from Guinea) are registered as Gls. The examples of GI products from OAPI member states can be linked to external support especially from France.<sup>8</sup> While the first African GI was registered in 2010 in the framework of a sui generis system (Argane, Morocco), by 2021, around 200 geographical indications had been registered throughout the African continent.9

As part of the EU's system of intellectual property rights, names of products registered as GIs are legally protected against imitation and misuse within the EU and in non-EU countries where a specific protection agreement has been signed. For all quality schemes, each EU country's competent national authorities take the necessary measures to protect the registered names within their territory. Non-European product names can also register as GIs if their country of origin has a bilateral or regional agreement with the EU that includes the mutual protection of such names. GIs applied for and entered in the Union registers may be consulted on eAmbrosia (the official database of EU GI registers), while both EU and non-EU GIs protected under agreements can be consulted on the GIview portal. Products that are under consideration or have been granted GI recognition are listed in geographical indications registers. The registers also include information

<sup>6</sup> World Intellectual Property Organization (WIPO) (2024), World Intellectual Property Indicators 2024.

World Intellectual Property Organization (WIPO), https://www.wipo.int/en/web/geographical-indications

<sup>&</sup>lt;sup>8</sup> OAPI has collaborated with and received technical assistance from several French institutions to promote GIs including French National Intellectual Property Institute (INPI), French National Institute of Origin and Quality (INAO), the French Agricultural Research Centre for International Development (CIRAD) and the French Development Agency (AFD) (Dagne, 2016). Titilayo Adebola. The legal construction of geographical indications in Africa. The Journal of World Intellectual Property. 2022.

<sup>&</sup>lt;sup>9</sup> Manual for geographical indications in Africa. Monique Bagal, Massimo Vittori and Luis Fernando Samper First edition March 2022 Second edition April 2023.



on the geographical and production specifications for each product. <u>Geographical indications registers - European Commission</u>.

There are four main ways to protect a geographical indication: *sui generis* systems (i.e. special regimes of protection); using collective or certification marks; methods focusing on business practices, including administrative product approval schemes; and through unfair competition laws. Broadly speaking geographical indications are protected in different countries and regional systems through a wide variety of approaches and often using a combination of two or more of the approaches outlined above. These approaches have been developed in accordance with different legal traditions and within a framework of individual historical and economic conditions.<sup>10</sup>

Within the European Union, on 13 May 2024, the <u>new regulation on Gls</u><sup>11</sup> for wine, spirit drinks, and agricultural products, as well as traditional specialities guaranteed and optional quality terms for agricultural products entered into force. The new regulation strengthens and improves the existing Gl system by introducing a single legal framework and a shortened, simplified registration procedure; increasing protection of Gls as ingredients and online; recognising sustainable practices: producers will now be able to valorise their actions regarding environmental, economic, or social sustainability and empowering producers' groups.

### 4. Opportunities and challenges of origin-linked products for African entrepreneurs

#### - Opportunities of origin-linked products for African entrepreneurs

For years, geographical indications (GIs) have driven innovation across multiple levels<sup>12</sup>: (i) social innovation: GIs foster unique governance models, where joint efforts are made to manage collective intellectual property rights; (ii) policy innovation: GIs have highlighted the need for public-private collaboration to ensure their protection; (iii) technical innovation: GIs involve the identification and codification of specialised knowledge, such as agronomic practices, production methods, and the selection of varietals and breeds.

The core economic impact of Gls lies in their ability to command higher prices and premium markets. According to the European Commission, the sales values of Gl products on average double 'those for similar products without Gl protection.' This differentiation not only boosts sales but also fosters brand loyalty among consumers who value authenticity and quality. This premium pricing not only benefits individual producers but also stimulates local economies in the given region. In 2020, the European Commission reported that its Gl product market had a sales value of €74.76 billion, with over 20% of this amount resulting from exports outside the EU.<sup>13</sup>

Origin-linked products play a crucial role in **preserving cultural heritage**. The traditional methods used in their production are often deeply rooted in the history and culture of their regions. By maintaining these practices, producers help preserve their cultural identity. This cultural preservation is not only important for the regions themselves but also adds value to the products in the eyes of consumers who seek authentic and culturally rich experiences.<sup>14</sup> By protecting and promoting products linked to specific regions, Gls help preserve traditional knowledge and

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<sup>&</sup>lt;sup>10</sup> World Intellectual Property Organization (WIPO). https://www.wipo.int/en/web/geographical-indications

<sup>&</sup>lt;sup>11</sup> Regulation (EU) 2024/1143 of the European Parliament and of the Council of 11 April 2024 on geographical indications for wine, spirit drinks and agricultural products, as well as traditional specialities guaranteed and optional quality terms for agricultural products, amending Regulations (EU) No 1308/2013, (EU) 2019/787 and (EU) 2019/1753 and repealing Regulation (EU) No 1151/2012.

<sup>&</sup>lt;sup>12</sup> FAO conference. "Worldwide Perspectives on Geographical Indications - innovations and traditions for sustainability". <a href="https://www.fao.org/newsroom/detail/global-conference-on-geographical-indications-opens-in-rome/en">https://www.fao.org/newsroom/detail/global-conference-on-geographical-indications-opens-in-rome/en</a>

<sup>&</sup>lt;sup>13</sup> European Commission: Directorate-General for Agriculture and Rural Development, Study on economic value of EU quality schemes, geographical indications (GIs) and traditional specialities guaranteed (TSGs) – Final report, Publications Office, 2021, https://data.europa.eu/doi/10.2762/396490

<sup>14</sup> https://www.fao.org/fileadmin/templates/olg/files/MethodologyEN\_01.pdf



production methods, which are often passed down through generations and can lead to job creation and reduce rural exodus, as seen with products like Mozambican Cabrito de Tete and Cameroonian Oku White honey.<sup>15</sup>

Despite the proliferation of Gls, studies that associate them with aspects of sustainability are still scarce.<sup>16</sup> Many origin-linked products are produced using sustainable practices that have been refined over centuries and often involve environmentally friendly methods such as organic farming, which helps maintain biodiversity and reduce the environmental footprint of agriculture. For example, the production of Argan oil in Morocco involves traditional harvesting methods that support the conservation of Argan trees and the local ecosystem.

## - Challenges of origin-linked products for African entrepreneurs

Despite their successes, origin-linked products face several challenges that can hinder their growth and sustainability. These challenges include the risk of imitation, weak legal protection, high certification costs, regulatory complexities, governance issues, and environmental vulnerabilities.

One of the primary threats to origin-linked products is unauthorised imitation and misuse. Without strong legal frameworks, counterfeiting and unfair competition can erode the value of these products. Large corporations or foreign competitors may exploit well-known product names without benefiting local producers, leading to market dilution and loss of authenticity. Many African countries lack robust laws and enforcement mechanisms to safeguard Gls and other origin-linked products. Limited institutional capacity often makes it difficult to prevent unauthorised use of Gl names, leaving small-scale producers vulnerable to exploitation.

Additionally, international disputes over geographical names create further complications. While the EU strongly protects Gls, countries like the US and Australia argue that certain names have become generic and should no longer be protected. These conflicting positions make it challenging for African producers to gain global recognition and legal protection for their products.

Obtaining GI certification is a costly and complex process, which can be particularly burdensome for small-scale producers. Many lack the legal expertise and financial resources to navigate the registration process, making it difficult for them to protect and market their products effectively. Moreover, compliance with labelling, safety, and traceability regulations requires significant

technical effort and financial investment. Smallholder producers and rural entrepreneurs often struggle with these requirements, making it difficult for them to compete in both domestic and international markets.

The collective nature of Gls means that producers must agree on shared standards and governance structures. However, reaching consensus can be politically and socially complex. Deciding the exact geographical limits of a Gl can lead to conflicts. Some producers may be excluded if they do not meet specific criteria, even if they have historically used the product name. This exclusion can create tensions and perceptions of unfairness within producer communities. In some cases, government ownership of culturally significant Gls may lead to conflicts with indigenous or local communities who have traditionally produced these goods. Clear governance structures and inclusive decision-making are essential to prevent disputes.

<sup>15</sup> https://developmentreimagined.com/geographical-indications/

<sup>&</sup>lt;sup>16</sup> FAO. Geographical Indications Environment & Sustainability (GIES): An innovative initiative to promote scientific research for balanced development. 2022.

Silvia Falasco, Paola Caputo, Paola Garrone, Can Geographical Indications promote environmental sustainability in food supply chains? Insights from a systematic literature review, Journal of Cleaner Production, Volume 444, 2024,141100,1SSN 0959-6526, https://doi.org/10.1016/j.iclepro.2024.141100

Marja Zattoni Milano, Ademir Antonio Cazella, <u>Environmental effects of geographical indications and their influential factors: A review of the empirical evidence</u>, Current Research in Environmental Sustainability, Volume 3, 2021, 100096, ISSN 2666-0490,



Many African origin-linked products depend on specific climatic and geographical conditions, making them highly vulnerable to climate change and environmental degradation. Changing weather patterns, soil degradation, and water scarcity pose threats to products like coffee from Ethiopia, Rooibos tea from South Africa, and Argan oil from Morocco. Deforestation, land mismanagement, and urban expansion further reduce the availability of natural resources essential for maintaining traditional production methods.

### 5. Way forward

Origin-linked products are powerful drivers of economic development, cultural preservation, and rural empowerment. However, to fully unlock their potential, stronger legal protections, financial support, inclusive governance, and climate resilience strategies are essential. Addressing these barriers will ensure that local communities receive fair benefits while safeguarding Africa's rich agricultural and cultural heritage.

By leveraging the unique qualities and heritage of their products, African businesses can differentiate themselves in the global market, protect their intellectual property, and stimulate local economic growth. As awareness and support for Geographical Indications (Gls) continue to expand, African producers have immense opportunities to benefit from this form of intellectual property protection. However, realising this potential requires strong leadership and political commitment, a rich agricultural and culinary heritage, support from international organisations and the presence of structured industry sectors. Additionally, modern technology and innovative marketing strategies can enhance traceability and authenticity, strengthening consumer confidence and demand for origin-linked products.

With the African Continental Free Trade Area (AfCFTA) as the world's largest free trade zone, Africa's growing population, rising middle and upper classes, and increasing demand for high-quality products present limitless trade opportunities. By prioritising robust GI ecosystems, African nations can capitalise on provenance-based branding and harness GIs as a key intellectual property right (IPR) category that contributes substantially to regional economic growth.<sup>17</sup>

#### Key points for discussion:

- What opportunities do origin-linked products offer for African SMEs?
- What innovations are needed for African SMEs to successfully develop origin-linked products?
- How can African SMEs leverage the AfCFTA to expand market access for origin-linked products?

Adebola, Titilayo, Mapping Africa's Complex Regimes: Towards an African Centred AfCFTA Intellectual Property, (IP), Protocol (December 22, 2020). Volume 1, (2020) African Journal of International Economic Law, 233-290., Available at SSRN: <a href="https://ssrn.com/abstract=392054">https://ssrn.com/abstract=392054</a>]

<sup>&</sup>lt;sup>17</sup> Titilayo Adebola. <u>The legal construction of geographical indications in Africa</u>. The Journal of World Intellectual Property.



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## Agenda

#### 12:00-12:10 Introduction

- Jeremy Knops, General Delegate, COLEAD
- Babafemi Oyewole, CEO, PAFO

Moderator: Isolina Boto, Head of Networks and Alliances, COLEAD

12:10-12:45 Panel: From Farm to Table: Successes of origin-linked products in Africa The panellists will share their experience in developing GIs in Africa.

- Tahirou Kanoute Pape, Executive Director, ETDS, Senegal: the case of GI madd de Casamance.
- Florent Faya Leno, Technical Director, ADECAM, Guinea: the case of Ziama de Macenta Coffee
- Jean-Marie Sop, Secretary General, Penja Pepper PGI Promotion Association, Cameroon

#### 12:45-13:20 Discussants

The experts will share insights on how they support Gls development in Africa.

- Benjamin Vallin, International Relations Officer (DG AGRI), European Commission
- Anne Chetaille, Agriculture and Forestry Project Team Leader, AFD
- Monique Bagal, Gl Expert, European Union Intellectual Property Office (EUIPO)

13:20-13:50 Debate

13:50-14:00 Key takeaways and conclusion



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