Geographical Indication-The Factors of Rural Development and Strengthening Economy

Naresh Kumar Vats†
National Law University and Judicial Academy, Guwahati, Assam-781 007, India

Received 29 May 2016; accepted 21 September 2016

Protection of GIs provides certain information and offers a guarantee to the consumers from a consumer’s point of view. GIs signals important characteristics that may not be obvious or evident by simply inspecting the products, example- consumers cannot easily determine the qualities apparently, merely which is appealing to eyes. Geographical Indications need to be inferred with wider horizon and stretching its grip to cover the product or process which are attributable to the geography, climatic conditions, locality of the origin which may bring value to a region not only in terms of jobs and higher income, but also for promoting the region as a whole. Research contribution will certainly contribute as eye opener for creation of a regional brand. There are also grey areas which need to be exploited and brought in the definition of GI and read the TRIPS agreement for the interest of the producers and economical status. These benefits range from having new socio-cultural values for traditional and indigenous assets to the more straightforward economic gains resulting from increased employment, higher incomes and improved market access. The inclusion of human factors as well is essential to ensure that the GIs of various handicraft products, example- ‘Kanchivaram Silk’ and ‘Muga Silk’ sarees are the product of skilled labour from Tamil Nadu and Assam respectively. The expansion of even to those factors which are nonetheless attributable to the agro products and process in wider perspective.

Keywords: Economics, governance, Kanchivaram silk, agriculture, Geographical Indications, Global Economic Value, Muga Silk, TRIPS Agreement

The geographical indication is a sign used on products that have a specific geographical origin and possess qualities or a reputation that are due to that origin of any “product and sources are generally protected by three modes of protection, which indicates that a product originates from a particular geographic location (e.g. French perfume)”1. In terms of, “geographical indications of origin and appellations of origin both require that the geographic location must reflect the product with particular traits or characteristics. There must be a link between product and place. In contrast, geographical indications of origin extend beyond the quality of the product to include ‘reputation or other characteristic of the goods’. In some cases, the ‘place of origin’ suggests to the consumers that the particular product quality or characteristic may value. Often, consumers are prepared to pay more for such products. Since, brand recognition is a prevailing character of marketing, geographical indication is that character which convey information about the origin of a product. Geographical indications can thus be a key factor in developing rural economy.

In a broader context GI spring as an integral form of rural development which can effectively advance commercial and economic interests as well as enriching local values such as cultural, traditional and environmental stewardship. GI provide the legal embodiment and protection and strengthening of local culture and economies by ‘marketing’ i.e. products and services at global level.

Geographical indications have tremendously generated the quality rural employment and the economic development. This could encourage the protection of unique social, cultural and intellectual property attached in indigenous knowledge or traditional and artisanal skills and the valued forms of expression of a particular locality.

Geographical Indication

Geographical indications have traditionally been considered to be intellectual property. Article 1(2)2 of the Paris Convention for the Protection of Industrial Property of 1883 (Paris Convention) refers to “indications of source” and “appellations of origin” as objects of industrial property. Paragraph (3) of Article 1(2) specifies that the term “industrial property” is not limited to “industry and commerce”
proper, but applies also to agricultural and extractive industries and to all manufactured or natural products, such as wines, grain, tobacco leaf, fruit, cattle, minerals, mineral waters, beer, flowers and flour.\(^2\)

The Meaning “Geographical Indication” has been around for many decades, but it is really since, the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) entered into force in the mid-1990s, that it has come into common use. The TRIPS Agreement, Article 22, paragraph 1 defines GIs as:

“Geographical indications are, for the purposes of this Agreement, indications which identify a good as originating in the territory of a Member, or a region or locality in that territory, where a given quality, reputation or other characteristic of the good is essentially attributable to its geographic origin.”\(^3\)

The definition of GI defined by World Intellectual Property Organization (WIPO) indication of source simply means any expression or sign used to indicate the quality or characteristics of a product protected as an appellation of origin must result exclusively or essentially from its geographical origin. This generally means that the raw materials should be sourced in the place of origin and that the processing of the product should also happen there. In the case of GIs, a single criterion attributable to geographical origin is sufficient, be it a quality or other characteristic of the product, or only its reputation. Moreover, the production of the raw materials and the development or processing of a GI product do not necessarily take place entirely in the defined geographical area.\(^4\)

After adoption of TRIPS Agreement 1994, the GI has attracted increasing attention of policy makers and trade negotiators, as well as producers (mostly of agricultural products). Now, due to TRIPS Agreement Section on GIs has started issuing appeals to more and more nations beyond the rather restricted list of countries that have traditionally pursued active GI policies.

**Unanimity over the Definition**

The Paris Convention which protect the industrial property and the Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods, the international agreements use the term “Indications of Source”. None of these gave a formal definition, but the language used in the Madrid Agreement makes clear that an indication of source is more general and refers simply to a country, or location in that country, as being the place of origin, e.g. French wine or Thai rice, they are not GIs.

The Paris Convention for the Protection of Industrial Property does not contain the notion of geographical indication. Article 1 paragraph (2) defines as subjects of industrial property, inter alia, indications of source and appellations of origin. This is the terminology traditionally applied and still officially used in the conventions and agreements administered by WIPO. According to this terminology, the following distinction is made between indications of source and appellations of origin: “indication of source” means any expression or sign used to indicate that a product or service originates in a country, a region or a specific place, whereas “appellation of origin” means the geographical name of a country, region or specific place which serves to designate a product originating therein the characteristic qualities of which are due exclusively or essentially to the geographical environment, including natural or human factors or both natural and human factors.\(^5\)

Geographical indications are defined, for the purposes of the Agreement, as indications which identify a good as originating in the territory of a Member, or a region or locality in that territory, where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin.\(^6\)

The Lisbon Agreement provides for the protection of appellations of origin, that is, the “geographical denomination of a country, region, or locality, which serves to designate a product originating therein, the quality or characteristics of which are due exclusively or essentially to the geographic environment, including natural and human factors.”\(^7\)

Appellations of origin are also termed as geographical indications and defined in the 1958 Lisbon Agreement as the geographical name of a country, region, or locality, which designates a product originating therein, the quality or characteristics of which are due exclusively or essentially to the geographical environment, including natural and human factors. The term “appellation” is sometimes understood as narrower than indication but is used increasingly less as one of its key distinctions, the concept of human factors, is commonly accepted as a part of GI.
The Paris Convention gives the wider meaning of Indication of source and do not restrict to industry and commerce but also agriculture, manufactured or natural products. GI Meaning defined by Wold Intellectual Property Organisation (WIPO) is “Product or service originates in a country” which designate a product the characteristic qualities which are due to only the geographical environment of the locality or region. Lastly the TRIPS Agreement gave the interpretation of GI which identify a good as originating in the territory or region where a given quality is attributable to its geographic origin. The overall emphasis in the definition is on the product or services originating from the locality or territory and having quality, reputation or characteristic of its geographic origin. The quality, reputation and characteristic of product or services are different from place to place locality due to climatic conditions, geographic conditions and way and means of process.

**Reasons for Popularity of Geographical Indications**

There are the wide range of opportunities to offer popularity to the geographical indications which may increase the market price and growth of their producers at origin, e.g.-trade standards. Protection of certain information, offers a guarantee to the consumers. From a consumer’s point of view, GIs attach important characteristics to those products and services that may not be obvious or evident by simply inspecting the product to determine the qualities of a wine, or its production process, or whether a cheese is made according to a traditional method, consumers cannot easily identify.

A GI bridge the relations between a product and a specific geographic region as well as unique production methods, characteristics or qualities which are known to exist in the region. Consumers do not have any doubt and clearly have an interest in the product. According to the United States consumer survey in 2005 noted that, for 72% of respondents the geographic characteristics such as soils do influence the taste and quality of foods. Many of the EU study of 20,000 consumers on the purchasing of GI products during 1999 found that 37 per cent of the respondent’s primary purchase motivation was the guarantee of origin, for 35 per cent consumer purchase motivation was the expected quality, for 31 per cent purchase motivation was the particular place the product came from and the method of their production, and for 16 per cent purchase motivation was their tradition. Furthermore, 51 per cent of the respondents statistically equivalent to about 180 million people in the EU were willing to pay between 10-20 extra prices for a GI than for a similar non-GI product. The result of surveys can be inferred that consumers are ready for those products which are protected by the geographical indications.

The analysis drawn from the data can be inferred that where protection of geographical indications effect the traditional way of farming and relating them with place of origin in European Union and consumers are inclined gradually towards their tradition. When producer’s interest is protected directly or indirectly the rural financial status is developing without any doubt. Consumers relate themselves with producers and believing that producers are having their own unique way of processing and production as well whatever product is carrying the climatic or geographical characteristic will certainly immune the local consumers as well as outsiders.

**Geographical Indications – “Global Economic Value”**

The market for GI products is significant, especially in the United States, Europe and the more affluent countries. The estimated value for sales of GI products worldwide is more than US$ 50 billion. The majority of that is for wines and spirits. A number of countries, ranging from Scotland to Australia and China to Chile have GI exports in excess of US$ 1 billion. Unfortunately, there are very few comprehensive estimates for the distinct origins but data for France suggest that the market value for their GI products is almost €19 billion, or close to 10% of the national food market’s total value. Italy’s 430 GIs generate a value of some €12 billion and employ about 3,000,000 persons, while Spain’s 133 GIs generate approximately €3.5 billion. GIs in seven other EU countries generated added value of about €5.2 billion annually, or 10 per cent of the Common Agriculture Policy (CAP) budget in 2004.

Economic data on developing countries is harder to obtain, but some estimates do exist. For example, Basmati rice exports in 2007 were about US$ 1.5 billion from India alone and Pakistani exports in 2001 were US$ 250 million. Tequila’s export sales were estimated at US$ 725 million in 2007 and Blue Mountain green coffee earned US$ 24 million for Jamaican exporters in 2008.

**Muga Silk Farmers of Assam**

The production of Muga silk in Assam as well as in country during the last seven years period is given in
Table 1, which indicates an increasing trend in Muga silk production and therefore, it is not on the verge of extinction.\textsuperscript{16-17}

The state-wise Muga silk production in India during the last seven years (2009 to 2016) is shown in Table 2. It could be seen from the statement that the Assam produces adequate quantity of Muga silk, compared to other Muga silk producing states.\textsuperscript{18}

Centrally Sponsored Scheme \textit{viz} Catalytic Development Programme (CDP) during the XII Plan period, in collaboration with the State Sericulture Department and financial assistance is given to state of Assam \textit{viz} financial year 2011-12 - Rs. 3,168/- (lacs), 2012-13-Rs. 2,761/- (lacs) and 2013-14 - Rs. 4,484/- (lacs) for ensuring the support for raising Kissan nurseries; Muga food plant development; strengthening of Muga seed multiplication infrastructure; assistance to Muga adopted seed producers including construction of mounting hall and assistance for Muga private grainer.\textsuperscript{17}

Exports

The Indian silk goods are being exported to the traditional major markets like the USA and European countries and small markets of Asia Region. The silk goods export earnings decreased over the years due to global recession. The gradual increasing export earnings during 2014-15 were Rs.2,829.88 crores during the first 4 years of XII Plan.\textsuperscript{18}

Employment Generation

The employment generation in the country is raised to 80.30 lakh persons in 2014-15 compared to 78.50 lakh persons in 2013-14, indicating a growth of 22.9 per cent.\textsuperscript{16}

India’s Organic Agri-Exports on Upswing

India currently ranks tenth among countries in terms of land cultivable under organic condition, but the organic acreage is growing. According to India’s Ministry of Agriculture, the land under organic certification has grown from 4.48 million hectares in 2010 to almost 5.21 million hectares in 2013, and is steadily growing year on year,\textsuperscript{19} as has been shown in Table 3.

Likewise, India alone exported Basmati rice in year 2012-2013 for Rs. 19,40,938.89/-; in 2013-14 for Rs. 29,29,182.15/-; during 2014-15 for Rs.27,59,871.45/-20 Similarly, a number of coffee and tea origins using GIs add several billion dollars to the trade of protecting countries.

\textbf{Table 1−Muga silk production in India and Assam in metric tons}  

<table>
<thead>
<tr>
<th>Year</th>
<th>Muga silk production in India</th>
<th>Muga silk production in Assam</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009-2010</td>
<td>105</td>
<td>93</td>
</tr>
<tr>
<td>2010-2011</td>
<td>124</td>
<td>117</td>
</tr>
<tr>
<td>2011-2012</td>
<td>126</td>
<td>119</td>
</tr>
<tr>
<td>2012-2013</td>
<td>119</td>
<td>109</td>
</tr>
<tr>
<td>2013-2014</td>
<td>148</td>
<td>126</td>
</tr>
<tr>
<td>2014-2015</td>
<td>158\textsuperscript{1}</td>
<td>124\textsuperscript{1}</td>
</tr>
<tr>
<td>2015-2016</td>
<td>166\textsuperscript{2}</td>
<td>--</td>
</tr>
<tr>
<td>2016-2017</td>
<td>50\textsuperscript{2}</td>
<td>--</td>
</tr>
</tbody>
</table>

\textbf{Table 2− State-wise Muga silk production}  

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Arunanchal Pradesh</td>
<td>0.50</td>
<td>1.20</td>
<td>1.60</td>
<td>2.00</td>
<td>1.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assam</td>
<td>93.00</td>
<td>117.00</td>
<td>118.76</td>
<td>108.52</td>
<td>126.00</td>
<td>124.00\textsuperscript{16}</td>
<td></td>
</tr>
<tr>
<td>Manipur</td>
<td>0.50</td>
<td>0.50</td>
<td>0.50</td>
<td>0.64</td>
<td>0.80</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meghalaya</td>
<td>10.00</td>
<td>3.25</td>
<td>3.31</td>
<td>6.04</td>
<td>16.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mizoram</td>
<td>0.30</td>
<td>0.40</td>
<td>1.17</td>
<td>0.32</td>
<td>1.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nagaland</td>
<td>0.50</td>
<td>1.40</td>
<td>0.66</td>
<td>1.39</td>
<td>1.90</td>
<td></td>
<td></td>
</tr>
<tr>
<td>West Bengal</td>
<td>0.20</td>
<td>0.25</td>
<td>0.23</td>
<td>0.26</td>
<td>0.18</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total in metric tons</td>
<td>105</td>
<td>124</td>
<td>126</td>
<td>119</td>
<td>148</td>
<td>158\textsuperscript{18}</td>
<td>143(up to Nov15)\textsuperscript{17}</td>
</tr>
</tbody>
</table>

\textbf{Table 3−Trends of Agri-exports from India (FY 2012-2014)}  

<table>
<thead>
<tr>
<th>Agri-export from India</th>
<th>2012 (in Rs. Cr)</th>
<th>2013 (in Rs. Cr)</th>
<th>2014 (in Rs. Cr)</th>
<th>% Growth in 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fresh vegetables</td>
<td>1310.48</td>
<td>1516.34</td>
<td>2293.32</td>
<td>51</td>
</tr>
<tr>
<td>Processed fruits &amp; vegetables</td>
<td>1577.6</td>
<td>1733.06</td>
<td>2266.6</td>
<td>31</td>
</tr>
<tr>
<td>Fresh grapes</td>
<td>602.88</td>
<td>1259.43</td>
<td>1666.47</td>
<td>32</td>
</tr>
<tr>
<td>Fresh fruits</td>
<td>755.41</td>
<td>779.76</td>
<td>1021.59</td>
<td>31</td>
</tr>
<tr>
<td>Mango pulp</td>
<td>820.83</td>
<td>608.56</td>
<td>772.95</td>
<td>27</td>
</tr>
<tr>
<td>Dried &amp; preserved vegetables</td>
<td>526.78</td>
<td>637.96</td>
<td>742.72</td>
<td>16</td>
</tr>
<tr>
<td>Fresh mangoes</td>
<td>209.74</td>
<td>264.72</td>
<td>285.43</td>
<td>8</td>
</tr>
</tbody>
</table>
Geographical Indication- Factor for Rural Development

The study indicates that, under appropriate conditions, GIs can contribute to development in rural areas. The entitlement to use a GI generally lies with regional producers and the added value generated by the GI accrues therefore to all such producers. Because of GI products likely to generate a premium brand price, they contribute to local employment creation, which ultimately may help to prevent rural exodus to urban. In addition, GI products often have important spin-off effects, for example in the areas of tourism and gastronomy.

Geographical indications may bring value to a region not only in terms of jobs and higher income, but also by promoting the region, protecting and encouraging the young energy from de-channelizing as a whole. This will certainly contribute to the creation of a regional brand, for geographical indication creates the belongingness for the habitants. It is necessary for careful reading that a mere fact of developing a GI for any product does not guarantee the automatic success or development for the region but for GIs to contribute to development. Several conditions must be present in the region in a way in which the specific GI scheme is designed. The inclusion of human factors is equally essential to ensure that the GIs of various handicraft products e.g. ‘Kanchivaram Silk’ and ‘Muga Silk’ sarees are the product of skilled labour from Tamil Nadu and Assam, respectively.

Geographical Indication- A Model for Development

Protection of geographical indications as a model for development, indications will have the potential to provide a range of different types of benefits to the region of its origin. Geographical indications also provide opportunities for several different segments of the population in addition to the producers. These benefits range from having different new socio-cultural values for traditional and indigenous assets to the more straightforward economic gains resulting from increased employment, higher incomes and improved market access.

There may be even indirect benefits like, improved local governance, tourism stemming from heightened recognition of the name and place through mean of GI, as well as increased land values and possible complimentary offerings such as other regional products riding on a GI’s reputation, e.g. mustard from champagne or honey from the Jamaica Blue Mountain region. At the international level, benefits can translate into unique forms of differentiation and competitive advantage that are difficult to erode.

In these ways, GIs can serve as conceptual frameworks to drive an integrated form of multifunctional rural development. GIs can go beyond a single product focus and facilitate progress that is multifunctional in character.

GI unlike patents, would require very low levels of innovation, if any which would allow a larger number of producers to apply for a GI protection without having to endure the cost and investments that could be related to innovation. It is indeed a well-documented feature of GI that they relate, by nature to tradition and culture aspects and this feature could even be considered as antonymic with innovation. GIs could also help in preventing bio-piracy and piracy of traditional knowledge as well as helping to protect traditional production methods such as seed selection and food conservations practices. GI production systems and processes would promote conservation of natural vegetation and forested areas which would in turn benefit ecosystem and landscape conservation which will establish strong links between products and culture in addition to benefit rural development.

The European community made an evaluation that geographical indications have amplified the developments in the following areas: regional cooperation between municipalities, authorities, commercial and social partners; the positive identity of the regions, especially referring to culture, landscape conservation and marketing; improvements in the general infrastructure and rural services; profiling of the region as an attractive business location; and improvements in environmental quality and linked utilization of resources.

Majority of product of GIs are for agricultural products and reference traditional or cultural knowledge which puts them in a category of intellectual property that theoretically should favour agricultural economies and developing countries in particular. In fact there are only limited numbers of developing countries those who have taken advantage of the opportunities available to them, and most have not benefited much at all.

The approach of the development of GI which intrinsically tends to integrate different functions (i.e. production, processing, certification, governance, retail, wholesale and international trade) and different
levels of action (i.e. local, regional, economic, socio-cultural and ecological) can effectively improve in strengthening rural development policies. The effective institutional framework may even be beneficial to local and regional governance of GI as mutually reinforcing approaches. Proper legal framework and systemic approach for rural development will certainly stand alone as policy tool for GI.

**Recommendations for Effective Legal Protection**

After the serious perusal, a strict domestic GI protection system is essential for selecting the appropriate method of protection which requires careful consideration along with many factors to take into account, and the implications are not always self-evident. Therefore, seeking experienced counsel and developing a strategy, are the pre-investments. Large number of successful GIs reports are supporting for having been spent hundreds and thousands of dollars each year to protect themselves for getting better result. These expenses cover the ongoing monitoring, updating, and enforcement or conflict resolution in all relevant markets. In addition to this there is always initial establishment costs, a viable effective protection strategy usually begins with a strict domestic GI system that reduces the likelihood of internal fraud (within the origin) which could compromise the reputation and in some cases the validity of extraterritorial legal protection for improving access to markets; preserving biodiversity and preventing bio-piracy; protecting traditional ‘know-how’; supporting community or collective rural development initiatives; reducing market price fluctuations; improving market governance (labelling and fraud rules, standards, traceability).

**Grey Area and Scope for GI**

However, protection of GI is more inclined to agricultural products and process. The agricultural products include not only product yielding from agriculture but also including all the factors involved for agriculture e.g. meat, fish, dairy, carcasses, animal excretions as well. Expanding the interpretation even to the water, stone, earth, salt etc. Since, the survival of animals and their product is due to the very fact of climatic conditions, geographical region and rearing up of those animals. The example of water which in Hindu religion is considered as God i.e. ‘Ganga Jal’ is considered to the sacred water and the only water which can be kept for longer duration and do not stink comparatively to the other water. Once the GI Case of Basmati rice is resolved based on the ‘crop grown in Gangtic terrain’, the matter of Ganga water cannot be ignored. Although the scope of basic food can be registered for GI including the meat, fish and diary produce. There is need to draw the inference from the Article 22 of TRIPS Agreement and this does not exclude any of the product which is attributable to that geographical conditions or origin of that region.

**Potential Benefits of GI**

On the perusal of the various data the inference drawn and analysis made by the researcher submits that the society will be benefitted on various aspects as given below:

**Economics**

GI protection will help in localized production and on business point of view profitable which will be in more and more demand.

**Employment**

With the increase of production and more demand naturally there will be the need of more production for which more manning will be essential which will pave the way for more employment and less rural emigration.

**Governance**

With the more tagging of geographical indications there will be increased role of government and regulatory bodies for protection of their interest as well for their promotion. Local population will be encouraged and their participation in governance will be encouraged. More protection of geographical indications will certainly promote the regional cooperation and local institutional empowerment.

**Environment**

This will also help in biodiversity conservation; environment preservation and common resources of the region.

**Culture**

Protection of more GI will promote the preservation of quality and traditional know-how of the locality for processing and production. It opens the door for inclusion of more products related to the geography, climatic conditions etc.

**Educational**

This will also promote the awareness of heritage and value the nature and intellect and motivate in dissemination of belongingness and education friendly.
Societal

Protection of geographical indications will certainly upgrade the living standard, per capita income and educated society.

Conclusion

Geographical Indications certify the character of the product to its geography, climatic conditions and locality of the origin. Due to this reason consumer are attracted and ready to pay the desired amount of the product. Since, branding recognition is a prevailing character of any marketing and directly giving space for competition to those products which are tagged GI. In short, GI provide the legal embodiment in protecting and strengthening of local culture and economies by ‘marketing’ i.e. products and services at global level. Geographical Indications have tremendously generated the quality in rural employment and the Economic development.

TRIPS Agreement gave the interpretation of GI which identify a good as originating in the territory or region where a given quality is attributable to its geographic origin. The overall emphasis in the definition is on the product or services originating from the locality or territory and having quality, reputation or characteristic of its geographic origin. The quality, reputation and characteristic of product or services are different from place to place locality due to climatic conditions, geographical conditions and way and means of process.

In view of the above discussion the researcher would strongly recommend the following protections of Geographical Indications:

(i) The attitude of drawing wider interpretation for attracting more protection of Geographical Indications must be even to the water, stone, earth, salt. Even the example of holy water i.e. ‘Ganga Jal’ in Hindu religion is considered as Goddess and used for all auspicious occasions. ‘Ganga Jal’ is the only water which can be kept for longer duration and do not stink comparatively to the water taken from other places.

(ii) The animals, their milk, meat and defecation must be encircled in protection of Geographical Indications, since their survival is due to the very fact of climatic conditions, geographical region and for their rearing.

References

2. Article 1(2) of the Paris Convention for the Protection of Industrial Property of 1883.
3. TRIPS Agreement, Article 22, Paragraph 1.
8. Economists classify products as search, experience and credence goods. Search goods are those where consumers can determine selected quality characteristics prior to purchase (e.g. inspecting apples in the store). Experience goods are those where selected quality characteristics or attributes can only be determined upon consumption (e.g. wine or frozen peas). In the case of credence goods, certain quality characteristics or attributes cannot be determined even after the product has been consumed (e.g. whether a banana is organic or meat came from animals treated with hormones). If there is a credible link between a GI and quality characteristics or attributes, then experience or credence goods may become search goods. Hobbs (1996) for an accessible discussion of search, experience and credence goods.
13. Trebbin A, Producer Companies and Modern Retail in India - Current State and Future Potentials of Interaction, Rondot, Collion and Devautour, 2004, (Ch.16).


Official Gazette of Montenegro, No. 18/11 ‘Law on Designations of Origin, Geographical Indications and Indications of Traditional Specialties Guaranteed for Agricultural and Food Products, Article 2- (1) The provisions of this Law shall apply to: 1) designations of origin and geographical indications of: a) agricultural products intended for human consumption: - meat and edible offal, - cheeses, - other animal products (eggs, honey, other dairy products, not including butter, etc.), - fats (butter, margarine, oils, etc.), - fruit and vegetables, cereals, either unprocessed or processed, - fish, shellfish., (b) agricultural products not intended for human consumption: - hay, - essential oils, - cork - cochineal (raw product of animal origin) - flowers and ornamental plants, - wool, - wicker, - flax; c) food products: - beers, - beverages produced from plant extracts, - bread, biscuits, cakes, confectionery and other baker’s wares, - natural gums and resins, - mustard, - pasta, - salt; 2) indications of traditional specialities guaranteed for: a) agricultural products intended for human consumption: - meat and edible offal, - cheeses, - other animal products (eggs, honey, other dairy products, not including butter, etc.), - fats (butter, margarine, oils, etc.), - fruit and vegetables, cereals, either unprocessed or processed, - fish, shellfish, crustaceans and products thereof, - other products…’

Evans G E, The Comparative Advantages of Geographical Indications and Community Trademarks for the Marketing of Agriculture Products in the European Union, http://fordhamipconference.com/wp-content/uploads/2010/08/GailEvans.pdf (accessed on 21 September 2016). Most foods intended for human consumption can apply for registration, including meat, dairy and fish products, honey, fruits and vegetables, been, beverages made from plant extracts, bread, pasta, pastries, cakes, biscuits and confectionery. Examples of other products which can also be registered include: natural gums and resins, hay, essential oils, mustard paste, cork, cochineal, flowers and ornamental plants, wool, wicker and scotched flax. Note that the lists do not include handicrafts, textiles. Precooked meals, prepared condiments and sauces; soups, ice cream, sorbet, chocolate and products containing cocoa, are not included but may qualify as TSGs. Mineral waters are no longer registrable, but names already registered will remain on the EC Register of protected names until 31 December 2013 (EC Reg.692/2003). Registration of the names of spirit drinks and wine-sector products is governed by separate Regulations.