GI, AO, TSG. Requirements for the registration application

- Requirements for the registration application [1]
  The application for the registration of an appellation of origin (AO), a geographical indication (GI) or traditional specialty guaranteed (TSG), hereinafter application, shall be filed with the AGEPI by a group. “Group” means any association of producers or processors irrespective of its legal form or composition , operating under the status of the group and carrying out production activities for products specified in the application. The application shall be submitted on a standard form approved by AGEPI. The application and the documents attached thereto shall be submitted in the state language.

  The application form shall be typed or completed electronically and may be submitted to AGEPI directly, by mail, facsimile, e-mail or by online filing (on AGEPI webpage).

  The application for the registration of an appellation of origin, a geographical indication or a traditional specialty guaranteed shall include the following:

  For GI and AO

  - the application form by which the registration of a GI or AO is requested, as applicable;
  - the specification approved by the decision issued by the competent authority;
  - a single document setting out the following:
  - the main points of the specification: the designation for which registration is sought, description of the product, including, where appropriate, specific rules relating to packaging and labeling of the product, and a concise definition of the geographical area;
  - a description of the link between the product and the geographical environment or the geographical origin, as applicable, including, where appropriate, the specific elements of the product description or production method justifying the link.

  For TSG

  - the application form by which the registration of a TSG is sought;
  - the specification approved by the decision issued by the competent authority;
  - the names and addresses of the authorities or bodies verifying compliance with the provisions of the specification, and their specific tasks;
  - the documents proving the product’s specific and traditional character.

  The following shall be annexed to the application:

  - proof of payment of fees in the amount established;
  - power of attorney, where the application is filed through a representative;
  - status of the group, approved by the competent authority;
  - documents that confirm the following:
    - the link between the product`s quality or characteristics and the geographical environment, including the natural and human factors, in case of an appellation of origin (AO);
    - the product`s particularities that may be attributed to the geographical origin (specific qualities, reputation or other characteristics) in case of a geographical indication. Where the registration application is based exclusively on the product`s reputation, clear and detailed proofs shall be submitted concerning the reputation, inclusively based on relevant literature or surveys of consumers;
  - copy of the competent authority’s decision on the approval of the product specification;
  - proofs justifying the reservation of the requested designation for the product

concerned and enable:
    - prior use of such designation for the given product;
    - wide knowledge of the product marketed under such designation;
- confirmation from local authorities on the production activities of the applicant in the defined area in relation to the products specified in the application;
- evidence of use of the appellations of origin or, if applicable, the geographical indication,on the application filing date as an indication for the individualization of the product, in case of a geographical indication.

Specific rules imposed on the group

A group applying for the registration of a geographical indication, an appellation of origin or a traditional specialty guaranteed shall act under its status and represent different categories of operators involved in the development process of the product. The status of the group shall contain provisions relating to the following:

- the representativeness of the group in relation to the production chain. Thus, in the case of processed products, the sources of supply with raw materials determined shall be submitted;
- the availability of the group for other adherents: use of the appellation of origin, the geographical indication or production of the traditional specialty guaranteed shall be available to all producers complying with the product specification;
- the missions of the group in relation to to the appellation of origin, geographical indication or traditional specialty guaranteed, including the elaboration of the international registration dossier, the protection procedures thereof and of the operators involved.

Product description

Product description shall be performed in a very precise way in order to ensure better compliance with the product specification by manufacturers and enable objective control of such compliance by control and inspection bodies.

Delimitation of the geographical area

The geographical area may be defined by the list of territorial administrative units or by natural geographical boundaries. The boundaries of the geographical area may be designated by the administrative boundaries or in a topographic manner, indicating mutual settlement of some localities, geographic objects such as mountains, rivers, construction etc.

Close [2]

- Product Specification [1]
  In order to benefit from a protected appellation of origin or a protected geographical indication or in order to be recognized as a traditional specialty guaranteed, a product must comply with the conditions set out in the product specification approved by the competent authority.

  The product specification for an appellation of origin or for a geographical indication shall include:

  - the appellation of origin or the geographical indication which is requested for registration;
  - the name and description of the product, including, if applicable, of the raw material, and the main physical, chemical, microbiological and/or organoleptic characteristics of the product;
  - the delimitation of the geographical area;
  - the elements attesting that the product originates in the defined geographical area;
  - the description of method of obtaining the product, and, where appropriate, of local, loyal and constant methods of obtaining it as well as the description of the elements relating to the packaging, if the applicant finds and justifies the need for product packaging in the defined geographical area in order to preserve the quality,

guarantee the origin or ensure the control;
- the elements justifying, as appropriate
  - the link between the quality and the characteristics of the product and its geographical environment;
  - the link between a specific quality, reputation or other characteristics of the product and its geographical origin,
- the names and addresses of the competent authorities or the bodies entitled to verify compliance with the provisions of the product specification and their specific tasks;
- any specific rules for labeling the product concerned;
- any other possible requirements established by law to be observed.

The product specification for a **traditional specialty guaranteed** shall include:

- the name of the traditional specialty guaranteed, given in one or more languages and an indication whether the name is specific in itself or indicate the specific characteristics of the product ; description of the agricultural product or foodstuff, indicating the main physical, chemical, microbiological and organoleptic characteristics thereof;
- the description of the production method applied by manufacturers, including, where appropriate, the nature and characteristics of the raw materials or ingredients used and the method of preparation of the agricultural product or foodstuff;
- the key elements attesting the specificity of the product and, where appropriate, the reference system used;
- the key elements attesting the traditional character of the product;
- the minimum requirements and procedures to assess the specificity of the product [2]

Close [2]

- Examples of product specification [2]
  Examples of product specification for **GI**:

  http://www.db.agepi.md/GeogrIndications/Details.aspx?id=3211&cs=2&domain=1 [3]

  http://www.db.agepi.md/GeogrIndications/Details.aspx?id=3214&cs=4&domain=1 [4]

  Examples of product specification for **TSG**:

  http://eur-lex.europa.eu/legalcontent/EN/TXT/PDF/?uri=CELEX:C1996/246/09&from=EN [5]

  http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:1998:405:0009:0010:EN:PDF [6]

Close [2]

Source URL: https://www.agepi.md/en/gi-ao-tsg/requirements