

**Process of Saving Geographical Indication of Certain Food Products for Bulgaria
and Comparison with Other Countries in Europe**

Assoc. Prof. Gergana Slavova PhD
University of Economics - Varna, Varna, Bulgaria
ggss@ue-varna.bg

Abstract

The process of preserving geographical indications includes the preservation of protected names, such as: designation of origin, geographical indication and food with a traditionally specific character. In carrying out this process, the link between the geographical environment and the specific qualities of the goods is much closer, since all stages of the production process are required to be carried out in the specified geographical area. There are specific differences between the preservation of a designation of origin, a protected geographical indication and food with a traditionally specific character. The purpose of this article is to reveal these differences, as well as to compare the progress achieved by Bulgaria and other European countries regarding the registration of protected designations of origin, protected geographical indication and food of a traditionally specific character.

Keywords: geographical indication, designation of origin, geographical indication, food with a traditionally specific character

JEL: F13, O13, Q13, Q17, Q18

DOI: 10.56065/IJUSV-ESS/2023.12.1.41

Introduction

Geographical indications were introduced into international trade agreements by the European Union (EU) during the Uruguay Round of trade negotiations. Although there was strong opposition from the US and other countries around the world at the time, the 1994 Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), under the World Trade Organization (WTO) Agreement, created an effective basis (Török et al, 2020) for the EU to offer geographical indications with protected designations of origin, geographical indications and foods of traditional special character. Since then, the EU has been a strong advocate for increasingly stringent regulation of geographical indications. They promote the use of local goods and resources to produce food and drink with traditional taste and character(Arfini et al, 2019).

1. Thesis statement and literature review

The retention of a protected designation of origin includes the name of a country, region or particular locality within that country, serving to designate a particular food commodity which originates there and whose quality or properties are due primarily or exclusively to the geographical environment, including natural and human factors. By preserving a protected appellation, the aim is to protect local knowledge in a region of the world as well as to sustainably promote rural development in these areas (Rangnekar, 2003). The difference between a Protected Designation of Origin and a Protected Geographical Indication is that while in the case of a Protected Designation of Origin all stages of production from the extraction of raw materials to the final product take place in the defined geographical area, in the case of a Protected Geographical Indication at least one of the stages of production or preparation of the product must take place in the defined geographical area (eAmbrosia, 2023).

A geographical indication, in turn, is associated with: the name of a country, region or particular locality within that country and serves to designate a good that originates there and has a quality, renown or other characteristic attributable to that geographical area. In Bulgaria there are many such foods and it is therefore strange that we have managed to preserve a small part of them, in the case of alcoholic beverages of high degree such are: „Troyanska plum“, „Burgas grape“,

Peshterska and many others, in the case of low-degree alcohols: Sandanski, Vrachanski, Varna and "Karlovski misket", "Mavrud Asenovgradski."

In the case of foods of traditional speciality (TSF), the focus is on their traditional aspects. As a concrete example, the production method or the composition of the product are not linked to a specific geographical region. The name of a product that is registered as a TSG protects it from counterfeiting and misuse. These are mainly food and agricultural products. Example: Gueuze (TSG) is a traditional beer obtained by spontaneous fermentation, which is usually produced in Brussels, Belgium, and its surroundings.

As a traditionally specific food, it can be produced elsewhere, but the production method is protected. It is important to note that research has already been carried out that covers consumer attitudes and habits to buy traditional and region-specific food products, and socio-demographic characteristics influencing these measures are also taken into account (Caputo et al, 2018). In Bulgaria, there is also a strong tradition of consumption of products with a traditionally specific character, both in food and beverages. Good examples in this area are: 'Dobrudja' bread, 'Hliab', 'Stara Zagora' bread, 'Bonus' bread, 'Tonus' bread, 'Lagard' brand bread products, 'Vitosha' and 'Balkan' cheese, and more recently 'Domlian', 'Bulgarche', 'Alfatar', 'Rodopski Kashkaval', 'Sayana' and many others.

The conservation of a protected designation of origin, geographical indication or foodstuff with traditional specific character is combined with the general designation - conservation of a geographical indication. This in turn does not confer individual exclusive rights, as is the case with patent and trademark rights. (De Lima Medeiros, 2020) Once protection has been obtained, the geographical indication can be used by all producers in a given geographical area, as long as they comply with the standards and specific conditions of production of the product.

The right to apply belongs to any person who carries out his production activities in the designated geographical place and the goods he produces must comply with the established qualities or characteristics (Article 89 (1) of the Law on Marks and Geographical Indications) The sign used for the geographical indication must identify the place from which the product originates. The qualities, characteristics or reputation of the product must be attributable to its place of origin. In order for a geographical indication to be registered, the name must not have become generic for goods of a certain type without being linked to their place of production. As an example we can mention: bread "Dobrudja", which is produced in the whole Bulgaria and not only in the region of Dobrudja, or cottage cheese "Vitosha" and "Balkan", which are also characteristic in terms of production for the whole country and not strictly for a specific region in the country (Art. 1 of the Law on Trade Marks and Geographical Indications); The name to be chosen may not be identical to the name of a previously protected plant variety or breed of animal; The name of a geographical indication must not be identical to a geographical indication or trade mark previously registered for identical goods (Article 87(3) of the Law on Trade Marks and Geographical Indications); The name should not be identical or similar to a geographical indication or trademark previously registered for identical or similar goods where there is a likelihood of consumer confusion - a customer thinking they are buying one good but actually buying a competing good. In order to see the difference we can point out some examples of "Protected Geographical Indications" for Bulgaria in the case of mineral waters from specific regions of the country, good examples are: mineral water "Gorna banya", "Devin", "Hisarya", "Velingrad", and in the case of geographical indications with protected designation of origin are: 'Banski starets', 'Fillet Elena', 'Smyadovska lukanka', 'Gorno-Trakia sudzhuk', 'Jeleni ham', 'Bozhentsi yoghurt', 'Elena yoghurt', 'Trojan plum brandy', 'Peshtera grazdova', etc. Geographical indications are not valid for a specific period. This means that the protection is valid until the registration is cancelled. This happens when the link between the qualities or characteristics of the good and the geographical environment ceases to exist, when the legal entity is dissolved. Or when the sole non-successive user or the sole registered user of a geographical indication renounces its right of use. Geographical indications have territorial

application, meaning that exclusive rights are granted and enforced only within the geographical boundaries of the country in which they are registered. Registration of a geographical indication can be done by:

- Registration with the Patent Office in Bulgaria includes a procedure for registration of geographical indications at national level. It is described in detail on the official website of the Patent Office of our country.

- By registering protected designations of origin or protected geographical indications in the 'European Register of Protected Designations of Origin and Protected Geographical Indications' and foodstuffs with a traditional specific character in the 'European Register of Foodstuffs with a Traditional Specific Character'.

Information on this is available on the website of the Ministry of Agriculture, Food and Forestry, in the section "Protected designations". On it, Bulgarian producers can find information on the procedure for registering protected designations of origin or protected geographical indications and foodstuffs with traditional specific character; as well as a full description of the concept of protected designation of origin and the concept of protected geographical indication.

2. Methodology and tables

A product or food that results from a method of production, processing or composition that conforms to a traditional practice for that product or that food, or is produced from raw materials or ingredients traditionally used for it. It is important to know that in the case of foods with a traditional specific character there is no link with the geographical area. Traditionality is linked to proven use on the domestic market over a period that allows for transmission from generation to generation. This period is at least 30 years. And specific character means characteristic specific features of production which clearly distinguish this product from other similar products in the same category. It is interesting to note that Bulgaria has the highest number of registered foodstuffs with a traditional specific character following the registration of 'Sudjuk Tarnovski'/'Tarnovo Sudjuk', against a reserved geographical indication and a designation of origin. Registration under the quality schemes entitles the product's packaging to bear a special European label. This protects the product from counterfeiting and misuse. The protected geographical indications (PGI) of the registered national products are only two: "Gornooryakhovski Sudzhuk" and "Bulgarian Rose Oil", and there are 9 traditional specific character, only one with a protected designation of origin or a total of 11 foods and one specific traditional for Bulgaria - rose oil. They are presented in Table 1:

Table 1. Foods with traditional specific character, protected designation of origin and protected geographical indication registered in the EU for Bulgaria by 2023

N	Traditionally Specified Food/ TSG/	N	Protected Designation of Origin/ PDO/
1.	"Fillet Elena"	1.	'Strandzanski manov Honey from Strandzha
2.	"Lucanka Panagyurska"		
3.	"Rolle Trapezitsa"		Protected Geographical Indication (PGI)
4.	"Kayserovan Neck of Thrace"		
5.	"Beef pastrami"		
6.	"Sudzhuk Tarnovski"/'Tarnovo Sudzhuk"	1.	"Gornooryakhovski Sudzhuk"
7.	"Bulgarian yoghurt"		
8.	"Lukanka Trojanska"/'Troyanska Lukanka"	2.	"Bulgarian Rose Oil"
9.	"Bulgarian white brine cheese"		

In addition to the traditional specialities and protected designations of origin listed in Table 1, Bulgaria has 64 wines and brandies listed in the register of geographical indications. The highest grade is the Protected Designation of Origin (PDO) of Strandzha honeydew. At present (October 2023), our country has nine products registered in the category of 'food of traditional specific character' (TSG). In comparison, among foodstuffs, wines and brandies, alcoholic beverages have the highest level of registration, with wines having the lowest level (European Commission register, 2023). 52 of them have a Protected Designation of Origin (PDO) and two have a Protected Geographical Indication (PGI). In the case of high spirits, mainly brandies, 11 are listed and are only for PGI. There are thirty Bulgarian wines with European brand protection from wineries in southern Bulgaria, or seven more than in northern Bulgaria. Interestingly, the registration of the wines took place back in 2007, a few months after our country's accession to the European Union. To compare Bulgaria with other countries in the world, we can offer the following data: in Greece, there are 147 registered wine brands, 33 of which have PDO. In addition, they have 20 brands of spirits with PGI, of which 6 are for their characteristic high-grade alcohol - ouzo. At the same time by 2022. Romania has managed to secure the registration of 53 wines and 9 spirits. In total, there are 3,735 geographical indications on the EU's specialized website, 319 of which have a status of only submitted. There are 4 registers on the portal: food, wine, aromatized wines and spirits. Around 165 of the entries are from outside the Community and the majority, around 92, are from former EU Member States forming the UK. It is very important and interesting to note that, in addition to Turkey as a non-EU country, there are also registrations from as far afield as Guinea, Venezuela, Vietnam, Thailand, Trinidad and Tobago and also Armenia, Brazil, Cambodia, Cameroon, Colombia, Dominican Republic, Guatemala, Guyana, Iceland, India, Indonesia, Mexico, Mongolia, Morocco, Peru, South Africa, Sri Lanka, USA. Gradually, the European designation adopted, became global. Venezuela, for example, has inscribed a geographical indication on its specific high-degree rum product. Vietnam in 2012 registered a protected designation of origin for a fish extract from the island of Phu Quoc. The US has one protected designation of origin wine registration and others filed, also for wine.

3. Results and discussion

From the EU Member States, the total entries in the four categories are 3573, with 1405 on food. Italy has the highest number of entries in the Community with a total of 953, 391 of which are for food (Table 2), followed by France with 789 entries (268 for food). Spain is next with 403, of which just over half, 203, are for food. Fourth is our southern neighbour Greece with 282 registrations (115 for food), followed by Portugal with 228 entries, of which 146 for food. Germany is just behind with 186 entries, including 96 for food (Table 2). A total of 248 cheese brands are registered in the EC register, 231 of them from EU countries, the remaining 17 are from the former member state - the UK. 185 cheeses from EU producers are registered with a Protected Designation of Origin (PDO), which is considered the most prestigious, and 46 with a Protected Geographical Indication (PGI). Table 2 presents some of the main EU countries with the highest total number of registered traditional foods, wines, and spirits.

Table 2. Main EU countries with the highest total number of registered traditional foods, wines, and spirits with protected designation of origin and geographical indication.

N	Specific EU country	Total geographical indication registrations	Registered wines	Protected registrations of foodstuffs	High-alcoholic beverages
1.	Italy	953	527	391	35

N	Specific EU country	Total geographical indication registrations	Registered wines	Protected registrations of foodstuffs	High-alcoholic beverages
2.	France	789	441	268	80
3.	Spain	403	105	203	95
4.	Greece	282	147	115	20
5.	Portugal	228	71	146	11
6.	Germany	186	54	96	36
7.	United Kingdom	126	5	116	5
8.	Hungary	86	38	33	15
9.	Bulgaria	76	54	11	11
10.	Croatia	69	18	45	6
11.	Czech Republic	43	13	30	0
12.	Belgium	36	10	16	10

From Table 2 and Figures 1 and 2, it can be seen that Italy is the country in Europe with the most registrations of its traditional foods and protected designations of origin and geographical indications for its high alcohol and low alcohol beverages. This is not surprising, given the rich culinary, historical, tourist and cultural tradition of this country.



Figure1. Total EU registrations of food, wine and spirits with Protected Designation of Origin, traditional foodstuffs and geographical indications

In Italy there are whole regions, such as Tuscany, Amalfi, Naples, Parma and others, which are distinguished by their culinary masterpieces and therefore we should not be surprised by its great activity in registering traditional foods and wines from these regions. France comes in second, followed by Spain in terms of the number of traditional foods and delicacies preserved (Table 2 and Figures 1 and 2). Regions such as Provence in France, Catalonia in Spain, Lago de Como in Italy

are characterised by a wide range of specific foods and delicacies which have their own place on the EU Commission register. The following Figure 2 shows registered EU foods with protected designation of origin and specific traditional foods. It is clear from Figure 2 that the highest use of resources and wealth is registered in the region of Italy, France and Spain, going to the production of food and drink with traditional specialities and geographical indication or protected designation of origin.

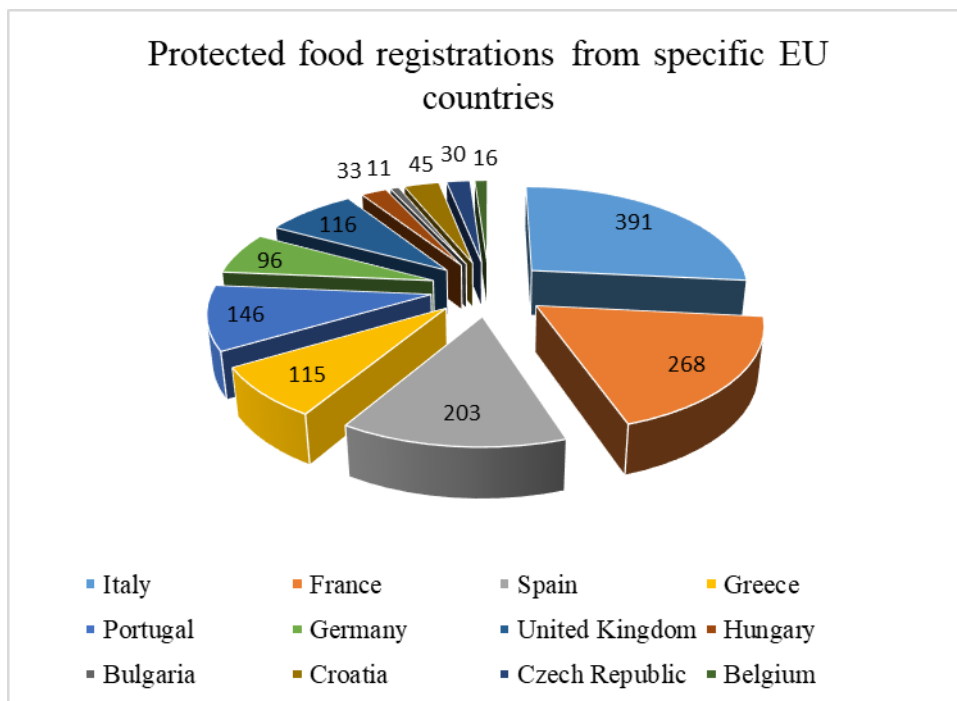


Figure 2. Protected food registrations from specific countries in the EU

From Table 2 and Figures 1 and 2, we can conclude that Bulgaria has a good registration activity, but mainly due to active participation in the registration of its own trademarked wines from Southern and Northern Bulgaria. We could register more foods with a traditional-specific character, such as: Rodpski klin, Patatnik, Banski starets, Prima maja chutenitsa, Smilyan beans, Rhodope potatoes and many other specific and traditional foods for our country. The following Figure 3 shows the number of registered cheese brands in Europe, where Bulgaria has registered only White Salted Cheese, and could also keep some of its traditional types of cheese such as Vitosha, Balkan, as well as spiced and herbed cheese, or cheese with walnuts, produced in the Rhodope Mountains with very high quality and excellent taste. Figure 2 shows that a significantly small proportion of registered cheeses come from non-EU countries, specifically the UK. Of the 3,573 registered foods in the EU, 231 are different types of cheese, making less than 10% of the registered foods in the Union, or approximately 31% of all registered foods worldwide, in the cheese and cheese group. They are followed by 15% vegetables and fruits and 14% local products (Cei et al,2018).

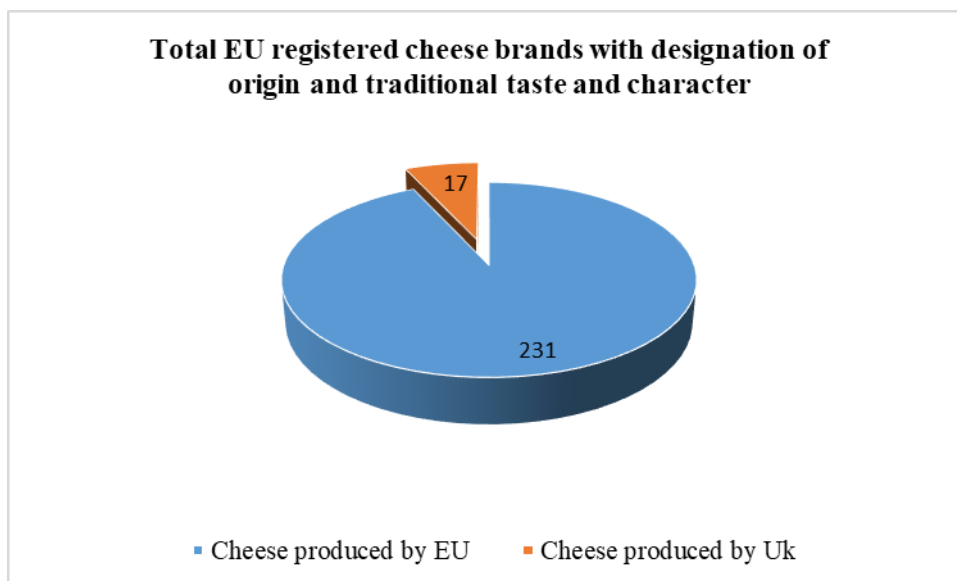


Figure 3. Total registered cheese brands in the EU with designation of origin and traditional taste and character

In the following figure four the protected wine brands are presented in comparison with figure five on high alcohol beverages we can draw the following conclusions: Italy is leading in the production of wines as well as food that are registered with a protected designation of origin, but has fewer registered high alcohol beverages. In this ranking it is fourth after Spain, France and Germany (Table 2, Fig. 4).

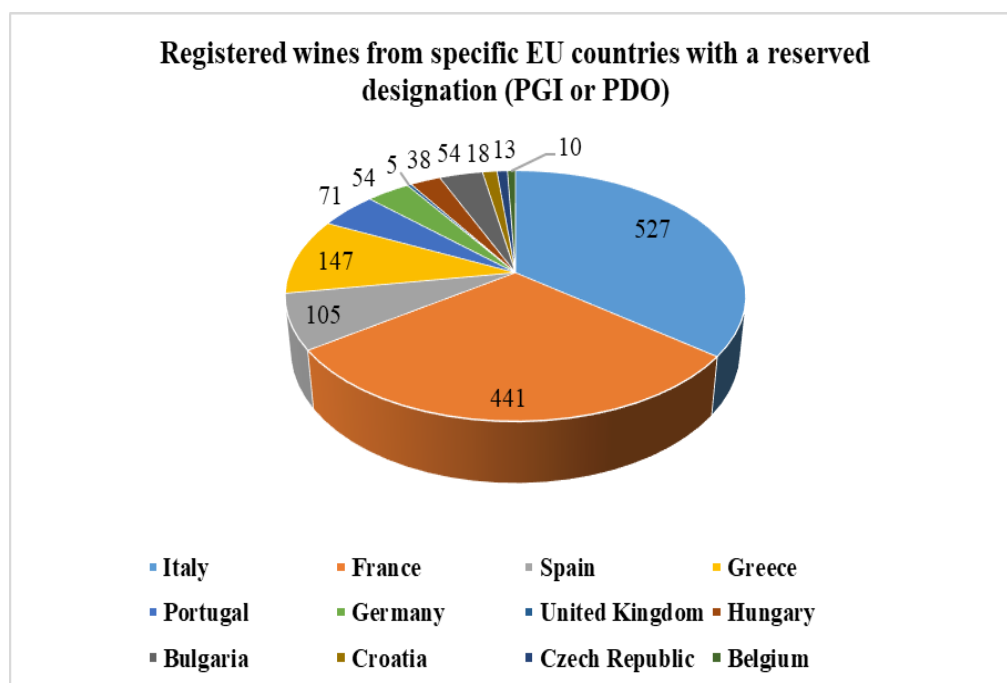


Figure 4. Registered wines in the EU with protected designation of origin and geographical indication by country of production

Italy and France are the leaders in low-alcohol beverages, with over 60% of all EU wines registered to date. Bulgaria ranks seventh in this indicator out of all wines registered in the Union

with nearly 4% share, which is a good indicator considering that it is on a par with Germany. In high alcohol beverages registered in the EU with PGI and PDO, Greece ranks 5th, followed immediately by Hungary and then Bulgaria and Portugal with the same number of registered high alcohol beverages.

In general, all countries analysed have many times more registered low-alcohol drinks than high-alcohol drinks, with the UK and Portugal showing the strongest trend. England, for example, has only 5 registered wines and 5 high spirits, while the Czech Republic has 13 registered wines and 0 high spirits. (Fig.4 and Fig.5) Italy has 15 times as many registered wines as high spirits and France five and a half times as many.(Table 2, Fig.4 and Fig.5)

From the following Figure 5, it is clearly evident that Spain leads in the registration of high alcohol and has almost equalized the registered wines with the registered high alcohol types 105 and 95 (Table 2, Figure 4 and Figure 5).

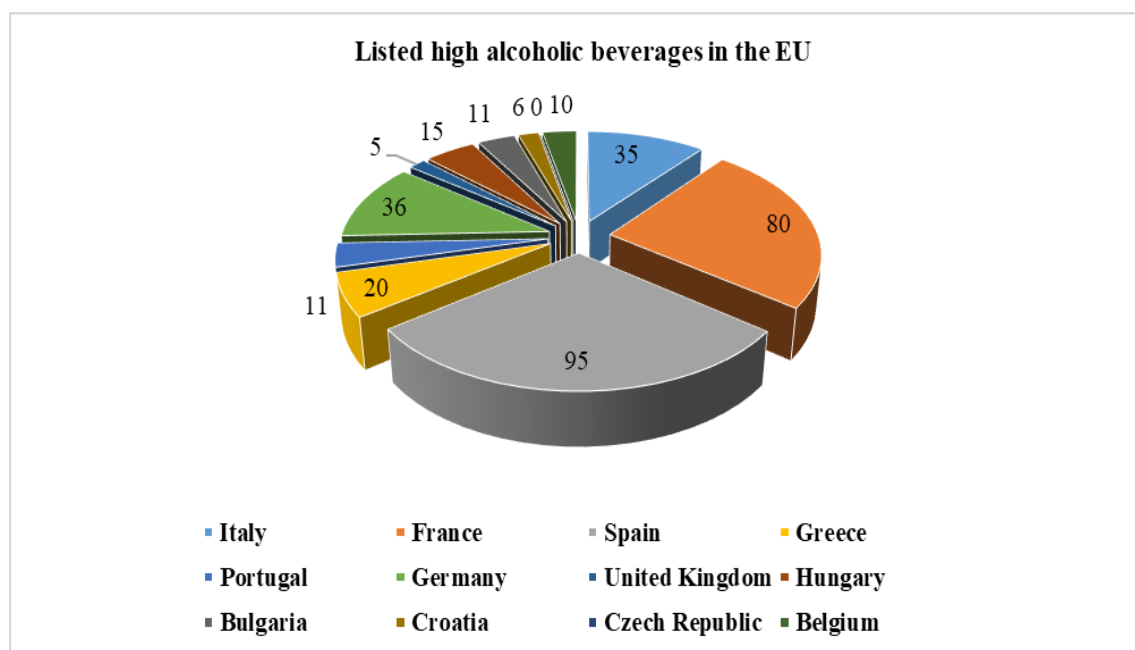


Figure 5. Registered high-alcoholic beverages in the EU with a protected designation of origin and geographical indication by country of origin

According to the results of a study published in 2018 (Leufkens, 2018), the average share of products with a geographical indication in the national food and beverage industry in 2017 was around 7% in the EU Member States. Furthermore, 58% of EU GI products are sold on domestic markets and only 22% of EU GI products are sold outside Europe (Leufkens, 2018).

Conclusion

It is an undeniable fact, according to the study, that the conditions created by the European Union during the Uruguay Round of trade negotiations and under the World Trade Organisation Agreement on the registration of geographical indications, designations of origin and traditional specialities give the local economies of food and drink producing countries a real chance to develop their rural areas, providing employment for their people while combining material, financial and human resources. Five countries continue to lead the registration: Italy, France, Spain, Greece and Portugal, and they hold the lead both in the total number of products registered and in food and wine. Bulgaria performs extremely well in the registration of low-grade beverages, mostly wines from southern and northern Bulgaria, with certain regions, such as the Upper Thracian Lowland, Melnik region, Vrachanski region, Danube region, Asenovgrad region, characterized by traditional

tastes and types of wines. At the same time, our country is lagging behind the leading countries in the Union in terms of registration of foods with traditional character and specific tastes. Many more Bulgarian foods with a specific and traditional taste, passed down from generation to generation, could be included in this category.

References

1. Arfini, F., Cozzi, E., Mancini, M. C., Ferrer-Perez, H., & Gil, J. M., (2019). Are Geographical Indication Products Fostering Public Goods? Some Evidence from Europe. *Sustainability*. 11, 272-281.
2. Caputo, V., Sacchi, G., Lagoudakis, A., Cavicchi, A., & Santini, C. (2018). Traditional Food Products and Consumer Choices: A Review. *Case Stud. Tradit. Food Sect.* 47–87.
3. Cei, L., Edi., D., & Gianluca, S. (2018). From Geographical Indications to Rural Development: A Review of the Economic Effects of European Union Policy. *Sustainability*. 10(10), 3745. <https://doi.org/10.3390/su10103745>.
4. De Lima Medeiros, M., & Terra, L. A. A., Passador, J. L. (2020). Geographical indications and territorial development: A soft-system methodology analysis of the Serro Case. *Syst. Res. Behav. Sci.* 37, 82–96.
5. eAmbrosia (2023). The EU geographical indications register/register/legal register of names of agricultural products and food, wines and spirits that are registered and protected throughout the EU [Online] Available from: <https://ec.europa.eu/agriculture/eambrosia/geographical-indications-register> [Accessed 19/11/2023].
6. Geographical indications and quality schemes. (2023). [Online] Available from: https://agriculture.ec.europa.eu/farming/geographical-indications-and-quality-schemes_en [Accessed 20/11/2023].
7. Leufkens, D., (2018). The problem of heterogeneity between protected geographical indications: A meta-analysis. *Br. Food J.* 120, 2843–2856.
8. Oficialen sajt na Ewropejskiq syuz, Shemi za kacestvo, Hrani s tradicionno specificen harakter [Online] Available from: https://agriculture.ec.europa.eu/farming/geographical-indications-and-quality-schemes/geographical-indications-and-quality-schemes-explained_bg Accessed 19/11/2023].
9. Rangnekar, D., (2003). Geographical Indications, International Centre for Trade and Sustainable Development (ICTSD). *United Nations Conference on Trade and Development (UNCTAD)*. 18.11.2023.
10. Registers for names of agri-food products, wines, spirit drinks that have applied or are registered as geographical indications and other quality schemes [Online] Available from: https://agriculture.ec.europa.eu/farming/geographical-indications-and-quality-schemes_en [Accessed 20/11/2023].
11. Regulation (EU) 2019/33 and Regulation (EU) 2019/34 lay down the procedures for the EU protection of traditional terms [Online] Available from: <https://ec.europa.eu/agriculture/eambrosia/geographical-indications-register/tdt> [Accessed 20/11/2023].
12. Török, A., Jantyik, L., Zalan, M. M., & Moir, H. (2020). Understanding the Real-World Impact of Geographical Indications: A Critical Review of the Empirical Economic Literature. *Sustainability*. 12(22), 9434; <https://doi.org/10.3390/su12229434>.
13. Zakon za markite i geografskite oznaceniq [Online] Available from: <https://lex.bg/laws/ldoc/> [Accessed 19/11/2023].