

## **GI CONFERENCE 2020**

**25-26 NOVEMBER 2020**

*Speaker: Mr Bartolomeo Filadelfia*

*- MiPAAF - ICQRF Official and Inspector*

*- Resident Twinning Adviser for the Twinning Project GE 16  
ENI EC 03 18 Establishing Efficient Protection and Control  
System of Geographical Indications (GIs) in Georgia*

## THE ICQRF MAIN RESPONSIBILITIES

**mipaft**

ministero delle politiche agricole  
alimentari, forestali e del turismo



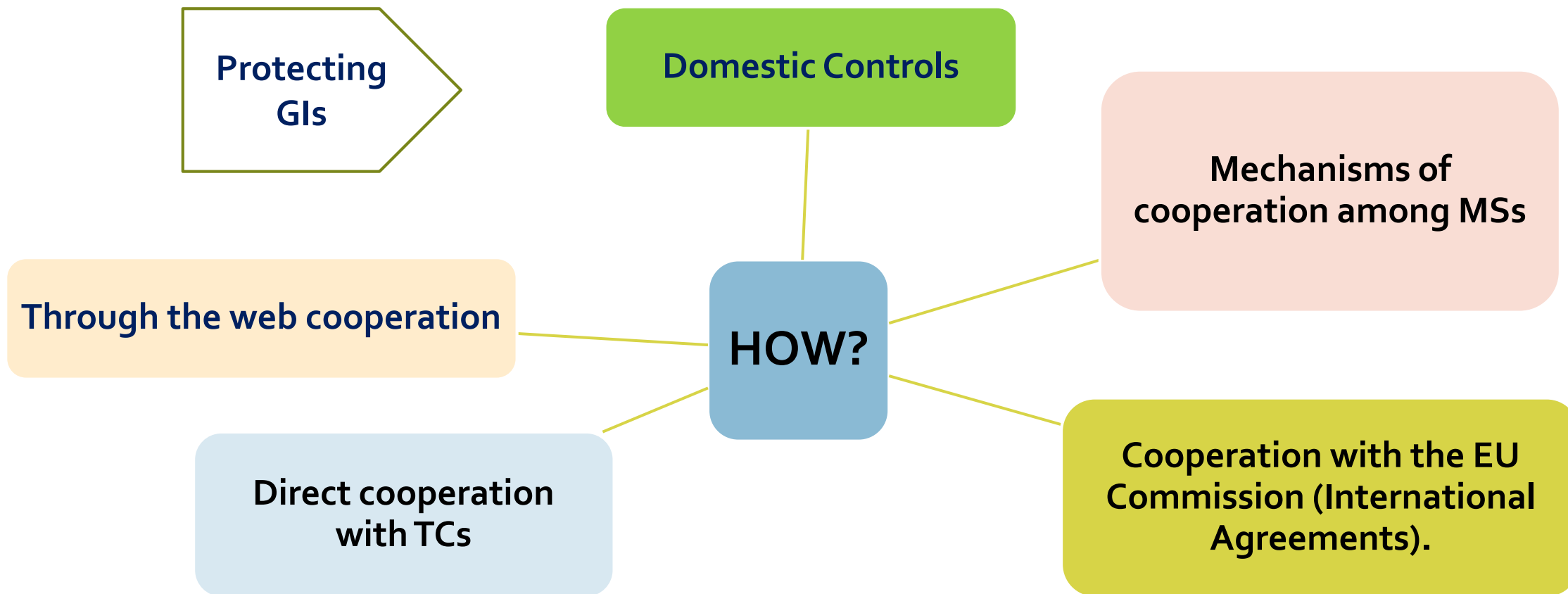
Carrying out Official Controls according to Reg. EC No. 882/2004 (by means of Inspections, Chemical Analyses and, if the case, working as Police officers under the coordination of Public Prosecutors). The ICQRF is also the Italian ex officio authority for the protection of PDO and PGI products (Reg. EU 1151/2012), the Italian liaison authority in the wine sector (Reg. EU 273/2018), Food fraud/AAC contact point (Reg. EC 882/2004).

Imposing monetary or other sanctions as result of inspection or analyses findings

Authorizing private or public control bodies for certifying foodstuffs as PDOs, PGIs and organics.

Authorizing PDO/PGI Producers' Group to carry out market surveillance over their relevant products

Supervising the activities of the aforementioned, private or public control bodies and producers' groups.



## HOW THE ICQRF COUNTER DOMESTIC INFRINGEMENTS AGAINST GIS



**Administrative  
penalties  
against:**



Standards non-compliances  
Misuses, evocations, imitations, misleading  
information and commercial practices and so on:  
- Wine Act, Law No 238/2016;  
- Legislative Decree No 297/2004.



**Criminal Code**



Counterfeits, Commercial frauds,  
food safety violations and so on

## GI Domestic Controls



### ICQRF – controls on PDO, PGI and TSG products

Inspection controls (No.): 3,683

Analytical controls (No.): 835

**Controls (No.): 4,518**

Controlled Operators / Premises (No.): 2,243

Irregular Operators / Premises (%): 16.0

Controlled products (No.): 3,809

Irregular products\* (%): 16.1

Irregular analytical outcomes (%): 4.1

Crime reports (No.): 227

Administrative penalties (No.): 25

Seizures (No.): 9

Amount of seized products (Kgs): 6,340,700

Economic value of seizures (€): 13,441,497

Report of Warnings (No.): 394



### ICQRF – controls on DO and GI wines

Inspection controls (No.): 5,859

Analytical controls (No.): 2,786

**Controls (No.): 8,645**

Controlled Operators / Premises (No.): 4,419

Irregular Operators / Premises (%): 23.9

Controlled products (No.): 8,2657

Irregular products\* (%): 16.3

Irregular analytical outcomes (%): 6.0

Crime reports (No.): 126

Administrative penalties (No.): 930

Seizures (No.): 123

Amount of seized products (Kgs): 40,470,701

Economic value of seizures (€) 11,385,000.35

Report of Warnings (No.): 294

**Mechanisms of cooperation among MSs:  
- Legislation**

**GI WINES: Reg. (EU) No 1308/2013 and No 1306/2013**

**GI AGRI-FOODSTUFF: Reg. (EU) No 1151/2012**

**GI SPIRIT DRINKS: Reg. (EU) No 787/2019**

**GI AROMATISED WINES: Reg. (EU) No 251/2014**

**OFFICIAL CONTROLS: Reg. (EU) No 625/2017**



# Mechanisms of cooperation among MSs:

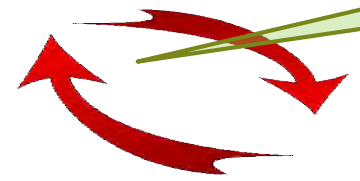
The ICQRF forwards to MS(s) concerned and to the EU Commission reports of infringements of EU legislation (for instance, misuse, evocation or imitation of a PDO or a PGI)

Regulations 1151/2012 and 273/2018 – Mechanism of European protection for wine products (in general) and for PDO and PGI wines



The ICQRF is the "Liaison and ex Officio Authority" for Italy

The ICQRF receives reports of infringements of EU wine laws sent by MSs and/or EU Commission



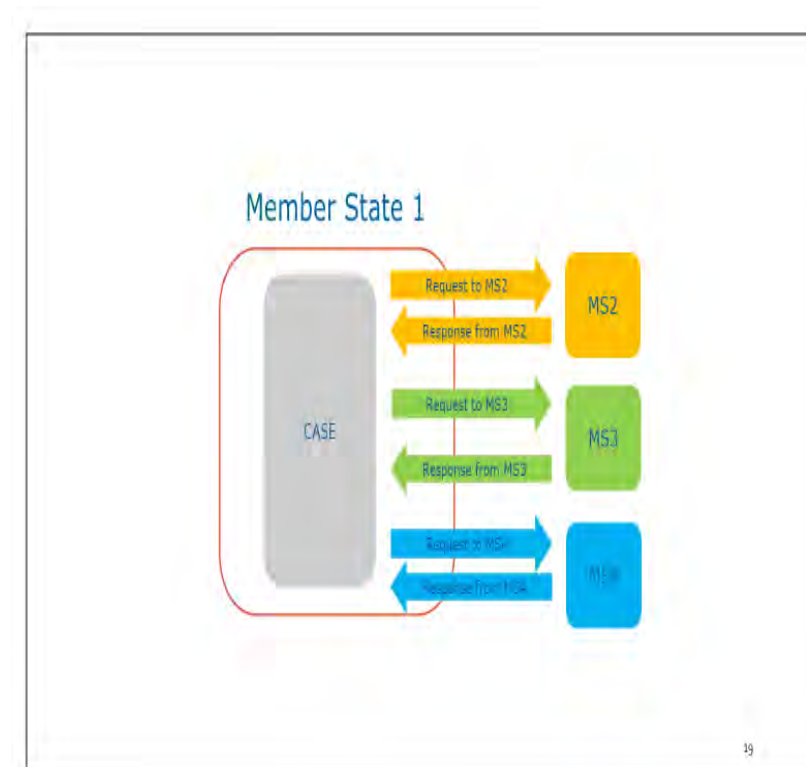
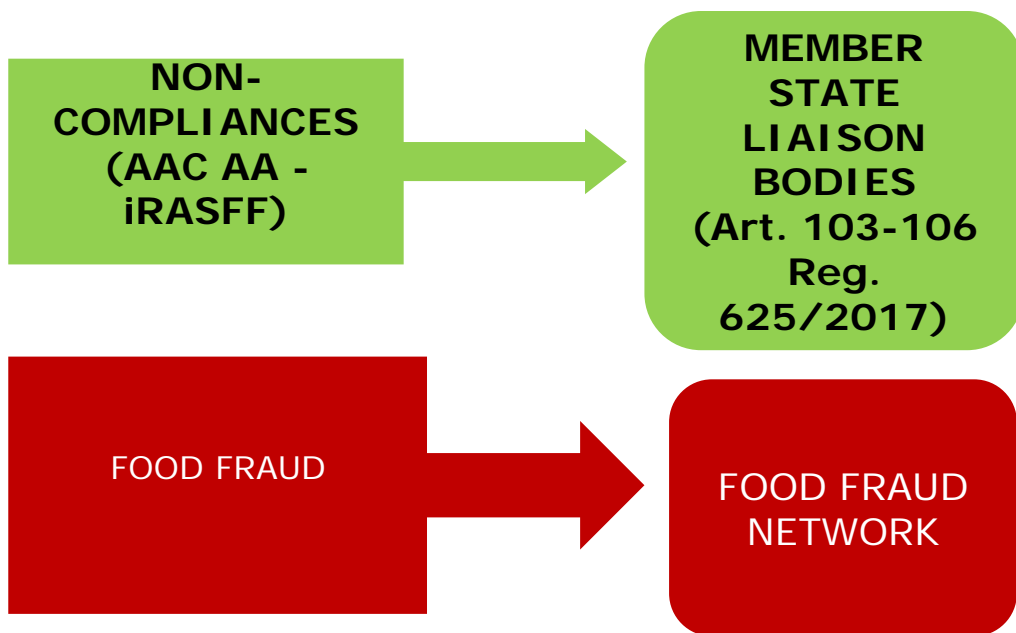


Mechanisms of cooperation among MSs:



## Food Fraud Contact Points (FFCP)

The ICQRF was designated as Italian FOOD FRAUD CONTACT POINT, together with Ministry of Health, in the framework of the cooperation mechanism set forth by Regulation (EU) 625/2017







Screenshot of a web browser showing the EU Commission website for wine and spirits. The browser address bar shows [https://ec.europa.eu/agriculture/wine/third-countries\\_it](https://ec.europa.eu/agriculture/wine/third-countries_it). The page content includes a sidebar with a list of products (Zucchero, Semi oleosi e piante proteiche, Riso, Olio d'oliva, Luppolo, Sementi, Patate, Garlic, Cotone, Banane, Piante vive e fiori, Tabacco, Prodotti lattiero-caseari, Carni bovine, Carni ovine e caprine, Carni suine, Pollame, Uova, Miele) and a list of international relations (Albania, Australia, Bosnia-Herzegovina, Canada, Switzerland, Chile, Columbia and Peru, Central America, Georgia, Republic of Korea, Morocco, Moldova, Montenegro, Former Yugoslav Republic of Macedonia, Mexico, Serbia, Ukraine, United States, Kosovo, South Africa). The main content area contains the text: "In order to facilitate trade between the European Union and the third countries, bilateral and multilateral negotiations are conducted by the Commission on the basis of a Council negotiating brief." The right sidebar includes a navigation menu with "Third countries" selected and a feedback section titled "Aiutaci a migliorare il sito".

Cooperation with the EU Commission (Bilateral Agreements).






## Through the web cooperation

- **Worldwide Internet Hosting Providers wish to cooperate/collaborate with CA(s) to get rid of any infringements against PDO and PGI products (wines):**
  - To preserve their reputation;
  - To keep high their online top-ranking;
  - To fulfill the EU legislation (I.E. Regulation EU 1308/2013, Regulation EU 1306/2013, Regulation EU 1169/2011, etc.)
  - 2000/31/EC Directive ( Article 14): Hosting - Where an information society service is provided that consists of the storage of information provided by a recipient of the service, Member States shall ensure that the service provider is not liable for the information stored at the request of a recipient of the service, on condition that: **a) the provider does not have actual knowledge of illegal activity or information and, as regards claims for damages, is not aware of facts or circumstances from which the illegal activity or information is apparent; or (b) the provider, upon obtaining such knowledge or awareness, acts expeditiously to remove or to disable access to the information.**
- **Competent authorities have all the interest to cooperate/collaborate with IHPs to get rid of any infringements against PDO and PGI products (wines):**
  - Quickly; at zero cost virtually; checking and taking down infringements from a huge number of websites worldwide.



The ICQRF has concluded Memorandum of Understandings and implemented collaborations with ebay (2014), Alibaba (2015/2016) and Amazon (2016) with the purpose:

Infringements removed in few hours/days

- To report infringements to Ebay system « VeRO »; 
- To report infringements to Alibaba system « Aliprotect »; 
- To report infringements to Amazon Legal Department in Luxembourg (although Amazon owns its « take-down system »); 



## Results of the worldwide controls on the web (From 2014 to date)

ACTIVITIES	Tot. Cases
ex-officio	497
Wine sec	1.315
ebay	1.739
Amazon	346
Alibaba	192
Labelling web	71
<b>Totale complessivo</b>	<b>4.160</b>





White rice vinegar balsamic vinegar modena 500ml

FOB Reference Price: [Get Latest Price](#)

**\$12.00 - \$15.00** / Cartons 1750 Carton/Cartons W  
vinegar modena 500ml (Min. Order)

Trade Assurance protects your Alibaba.com orders

Payments: W

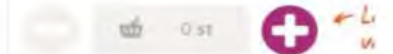
Alibaba.com Logistics · Inspection Solutions



Vit balsam Smaks  
250ml ICA

**32,90 kr**

[fr-pris 131,60 kr/l]



Godtar ej ersättningsvara



# Making Your Wine







## ***LESSON LEARNT AND SUGGESTIONS:***

- Investing in your own human resources is the key factor;
- Searching for more and more innovative GI protection procedures is fundamental;
- Cooperating with e-commerce marketplaces Worldwide greatly expands protection and at the same time reduces the associated costs;
- Enhancing Cooperation among MSs and with TCs better protects GIs and helps to spread knowledge of them among European and third-country citizens.

*Thank you for your attention!*



***QUESTIONS?***