



Geographical Indications of Agricultural Products in China: An International Development Strategy

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Abstract

China has initially established a system of basic laws, regulations, and policies on geographical indications (GIs) of agricultural products. Furthermore, it has achieved international protection of GIs of agricultural products to a certain extent through the signing of trade treaties, agreements on specialized GIs, and co-operation with industry associations. Nevertheless, the international development of geographical indications of agricultural products in China is facing a number of challenges, namely, unclear management responsibilities, lagging laws, regulations and policies, a large number of GIs of agricultural products that are of variable quality, a weak sense of international branding and insufficient market promotion. The European Union, as a developed economy with comprehensive international protection of geographical indications of agricultural products, has advanced legislation and regulations, as well as an effective market supervision and industry self-regulation mechanism. It actively promotes international mutual recognition of geographical indications, thereby enhancing the global visibility of these indications and establishing a robust protection framework. Additionally, the EU guides its own agricultural products to the global market.

To promote the global success of its agriculture sector, China should take specific steps to: 1) integrate the relevant management departments; 2) coordinate GIs applications for both primary and processed agricultural products; and 3) to enhance international recognition of its agricultural products bearing GIs.

Keywords: geographical indications, agricultural products, China, international development, European Union

Funding: The study was conducted within the framework of the project BUA2024ZD10, FRSK-2024-012, J1QZ-2024006.

To cite this article: Chong, F. (2025). Geographical Indications of Agricultural Products in China: An International Development Strategy. *Lex Genetica*, 4(1), 67–86 (In Russ.). <https://doi.org/10.17803/lexgen-2025-4-1-67-86>

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Поступила в редакцию: 27.02.2025

Получена после рецензирования и доработки: 25.03.2025

Принята к публикации: 10.04.2025

Географические указания сельскохозяйственной продукции Китая: международная стратегия развития

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Аннотация

В Китае существует система основных законов, положений и политик в отношении географических указаний (ГУ) сельскохозяйственной продукции. Кроме того, Китай в определенной степени добился международной защиты ГУ сельскохозяйственной продукции посредством подписания торговых договоров, соглашений о специализированных географических указаниях и сотрудничества с отраслевыми ассоциациями. Тем не менее международное развитие географических указаний сельскохозяйственной продукции в Китае сталкивается с рядом проблем, к которым относятся: 1) нечеткие обязанности по управлению географическими указаниями; 2) недостаточная разработанность нормативной правовой базы, положений и политик в этой области; 3) отсутствие единообразия географических указаний сельскохозяйственной продукции; 4) проблемы с продвижением ГУ на рынке. Европейский союз (ЕС), имея развитую экономику и комплексную международную защиту географических указаний сельскохозяйственной продукции, осуществляет эффективный мониторинг рынка, а также имеет отлаженный механизм регулирования данной отрасли. ЕС активно содействует международному взаимному признанию географических указаний, а также направляет свою собственную сельскохозяйственную продукцию на мировой рынок. Для Китая было бы полезно и дальше создавать соответствующие департаменты управления, координировать использование географических указаний для первичной и переработанной сельскохозяйственной продукции и повышать уровень интернационализации своих географических указаний, тем самым способствуя международному развитию сельскохозяйственной продукции Китая.

Ключевые слова: географические указания, сельскохозяйственная продукция, Китай, международное развитие, Европейский союз

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Финансирование: исследование выполнено в рамках проекта BUA2024ZD10, FRSK-2024-012, JLQZ-2024006.

Для цитирования: Chong, F. (2025). Geographical Indications of Agricultural Products in China: An International Development Strategy *Lex Genetica*, 4(1), 67–86 (In Russ.). <https://doi.org/10.17803/lex-gen-2025-4-1-67-86>

Received: 27.02.2025

Revised: 25.03.2025

Accepted: 10.04.2025

Introduction

Already a significant agricultural producer, China is currently at a pivotal juncture in its efforts to become a leading global agricultural powerhouse. A crucial strategy for strengthening the country's agriculture sector and enhancing its international reputation consists in the development of geographical indications (GIs) for agricultural products. The establishment of a fundamental Chinese legal framework for geographical indications for agricultural products (GIAPs) formed the basis for a series of subsequently issued foundational policy documents. The negotiation and implementation of the China-EU Agreement on Geographical Indications personally led by General Secretary Xi underscores the significance of the international development of GIAPs. However, there are still significant deficiencies in the international development of GIAPs in China in comparison to the country's global peers. For example, the basic management structure remains unclear, the exact criteria for the registration and approval of GIAPs have yet to be defined, and there is a distinct lack of international brand awareness and specialized market promotion (Qian, Dong, 2023).

The present work examines the current fundamental legislation and policies governing GIAPs and international protection

mechanisms in China. As well as elucidating the prevailing regulatory framework for GIAPs in China, it identifies the challenges confronting the international development of GIAPs in China. In order to elucidate the extant international protection and international development modes of GIAPs, the European Union is cited as a case study. Recommendations are advanced for the international development of GIAPs in China.

Current situation of the protection of geographical indications of agricultural products in China

China has established a comprehensive set of laws and regulations for the protection of GIAPs. These include the Trademark Law, the Provisions on the Protection of Geographical Indications Products, the Measures for the Administration of Geographical Indications of Agricultural Products, the Measures for the Administration of the Use of Special Indications of Geographical Indications, and the Civil Code. Collectively, these provide clear guidance on the registration, use, and protection of agricultural products with GIs. By elucidating the definition, scope of protection, application process, conditions of use, and regulatory measures for GIs, these legal instruments ensure the uniqueness and au-

thenticity of GIs in order to protect the rights and interests of consumers and producers. In terms of policy, the 14th Five-Year Plan for the Protection and Use of Geographical Indications and the Guiding Opinions on Further Strengthening the Protection of Geographical Indications have been issued with the objective of enhancing the brand value and market competitiveness of GIs and promoting the international development of GIs. Concurrently, China has engaged in international collaboration and concluded trade agreements with numerous countries and regions that encompass the safeguarding of GIs. One notable example is the China-EU Agreement on Geographical Indications, which offers legal backing for the protection and advancement of GIs pertaining to agricultural products in the global marketplace. Additionally, industry associations have facilitated the international recognition and market competitiveness of China's GIAPs through collaboration with international organizations.

*Basic laws and regulations and policies
on geographical indications
for agricultural products*

China's current legal framework for GIAPs encompasses the Trademark Law, the Provisions on the Protection of Geographical Indications, the Measures for the Administration of Geographical Indications of Agricultural Products, the Measures for the Administration of the Use of Special Signs for Geographical Indications, and the Civil Code. These legislative instruments provide comprehensive guidance on the registration, use, and protection of GIs. GIAPs are further regulated and managed by additional pertinent special administrative measures and policies. These include the 14th Five-Year Plan for the Protection and Use of Geographical Indications and the Guiding Opinions on Further Strengthening the Pro-

tection of Geographical Indications. These basic laws, regulations, and policy documents collectively constitute the legal framework for the protection and management of GIs in China. The objective is to safeguard GIs through legal means, enhance the brand value and market competitiveness of GIs, and facilitate the international development of GIs.

1. Basic Laws and Regulations

The Trademark Law, the Regulations on the Protection of Geographical Indications, the Measures on the Administration of Geographical Indications of Agricultural Products, the Measures on the Administration of the Use of Special Geographical Indications and the Civil Code constitute the basic laws and regulations for all GIAPs in China.

By providing the legal basis for the trademark protection of GIs to ensure their indicative uniqueness, thus preventing the unauthorized use of the same or similar indications by other providers of goods or services, the Trademark Law protects the rights and interests of consumers and producers. The Trademark Law clearly stipulates the conditions for the registration of GIs as collective or certification marks, as well as the corresponding rights and obligations following registration.

The Provisions on the Protection of Products with Geographical Indications, which is specifically aimed at products with GIs, clearly defines geographical indications as signs confirming that the special quality, reputation, or other characteristics of a product are mainly determined by the natural or human factors of its place of origin. It establishes the scope of protection of GIs, including requirements for the geographical area of production, the source of raw materials, and the production process of GI products. At the same time, it puts forward protection measures for GI products, such as how to apply for, use and

manage GIs, along with the legal consequences of violating the provisions.

The Measures for the Administration of Geographical Indications of Agricultural Products further refines the application and approval process for GIAPs based on the Provisions on the Protection of Geographical Indications. This document specifies the conditions for applying for GIs, including that the products must originate from a specific geographical area and have specific qualities or characteristics. At the same time, it sets out the procedural requirements for the approval process, such as the relevant steps of information submission, examination, and publicity. In addition, specific provisions are made for the use and supervision of GIs, including the labeling of GIs, the use of logos, market supervision, and protection measures.

The Measures for the Administration of the Use of Special Signs for Geographical Indications aim to regulate the use of GIs, thus ensuring their authenticity and authority and preventing abuse and misuse. In specifying the conditions for the use of GIs, the Measures stipulate that only officially certified goods may use GIs in order to protect consumers' rights and interests and maintain market order. Additional regulatory measures specified in the Measures include supervision and inspection of the use of GIs, as well as penalties for non-compliance with such uses. This ensures the standardized use of GIs.

Broader legal support for the protection of GIs from the perspective of civil rights are additionally provided by the Civil Code. Here it is stipulated that GIs, representing a kind of intellectual property, enjoy civil rights and obligations of their right holders, including, but not limited to, the right to use, the right to license, the right to prohibit others from using them without authorization, and so on. The Civil Code additionally establishes the civil liability

for any infringement of the rights of GIs and provides the corresponding right holders with legal remedies.

2. Basic Policy Documents

The 14th Five-Year Plan for the Protection and Utilization of Geographical Indications is the overall plan for the protection and development of GIs during the 14th Five-Year Plan period. The Plan specifies the objectives for the protection and development of GIs at the national level, including enhancing the brand value of GIs and strengthening the international competitiveness of GIs. Specific policy measures specified in the Plan include strengthening the legal protection of GIs, promoting the integration of GIs into regional economic development, and ensuring the marketing and internationalization of GI products. Through these measures, it aims to systematize, standardize, and internationalize the protection of GIs.

An additional normative document specifying concrete measures and recommendations for strengthening the protection of GIs is the Guidance Opinions on Further Strengthening the Protection of Geographical Indications. Emphasizing the importance of strengthening law enforcement, the Guidance requires relevant departments to intensify their efforts to combat infringement of GIs and protect the legitimate rights and interests of right holders. The Guidelines also propose measures to raise public awareness, to increase public awareness of the importance of GIs through publicity and education, and promote social support for the protection of GIs. The Guidelines encourage the promotion of international cooperation on GIs, including promoting the protection and recognition of China's GIs in the international arena through participation in international treaties and agreements.

International protection mechanisms

The international protection of GIAPs in China is mainly realized in three ways: trade agreements with trading partners, special agreements on GIs, and cooperation with industry associations (Hu, 2018). In terms of trade agreements, China participates in the WTO TRIPS Agreement, which provides basic protection for GIs, while bilateral trade agreements with some countries, such as the China-US Economic and Trade Agreement, include chapters on GIs. These agreements provide legal support for China's GIs in the international market. Specialized agreements on GIs, such as the China-EU Agreement on Geographical Indications, further clarify the protection rules and mutual recognition lists of GIs between the two sides, thus enhancing the international recognition of GI products (Lujing, 2022). Through international exchanges and cooperation, industry associations have cooperated to promote the international mutual recognition of GIs, the formulation of standards, publicity and promotion, at the same time as enhancing the international influence of GIs. Together, these measures have built an international protection network for GIAPs in China and promoted the internationalization of GIs.

1. Various trade agreements signed between China and other countries

Various trade treaties signed between China and other countries partially cover the content of GIAPs to provide a basis for the protection of GIAPs in other countries. At present, such international treaties include two types: (a) multilateral international trade organizations or international conventions to which China has acceded and in which the contents of GIAPs are included; (b) bilateral international treaties signed between China and relevant countries, which are based on various kinds of trade agreements including the contents of GIAPs.

(1) World Trade Organization (WTO) Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement)

As an international treaty on trade in intellectual property among many agreements of the World Trade Organization, the TRIPS Agreement includes part of the content of GIs. The TRIPS Agreement defines a geographical indication as "a mark identifying a product as originating in the territory of a member or in a region or place within that territory, where the particular quality, reputation, or other characteristics of the product are primarily attributable to its geographical origin". It also provides that Members shall provide legal means to prevent practices that mislead the public as to the origin of goods and to prevent uses that constitute unfair competition. TRIPS provides additional protection for GIs for wines and spirits, which, in the absence of specific exceptions, may not be used for non-original products even those clearly indicating the true origin of the goods. While maintaining the current level of protection, the TRIPS Agreement additionally encourages international negotiations on the protection of GIs and provides for limitations in cases such as the transformation of GIs into generic names along with the appropriate protection of GIs by countries. While the TRIPS Agreement establishes international rules for the protection of GIs and specifies the intellectual property attributes of GIs and the minimum requirements for their protection, it does not provide specific modes of protection for each member. However, China is yet to accede to the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, the Madrid Agreement, and other specialized international conventions on intellectual property.

(II) Bilateral trade agreements

So far, most of the various types of trade agreements signed between China and other countries include IPR-related chapters; however, most of the relevant agreements do not specify the content of GIs. At present, the China–US Economic and Trade Agreement signed between China and the United States in 2020 is one of the few bilateral trade agreements that directly addresses the protection of GIs. The agreement focuses on the protection of generic names, respect for prior trademark rights, clear procedures for opposition and revocation, and fair market access for the other party's exports that rely on trademarks or the use of generic names. However, it also requires China to allow the diversion of U.S. markets for goods and services even when GI protection is included in trade agreements with other countries.

2. Agreement on Specialized Geographical Indications

The Agreement on Specialized Geographical Indications (AGI) is another important aspect of the international protection of GIAPs in China, which mainly involves the prior arrangements for the protection of GIs between China and relevant countries or economies that have not yet signed trade agreements. Among them, the most representative is the China-EU Agreement on Geographical Indications, which was signed in 2020 and formally entered into force on March 1, 2021, and is the first comprehensive high-level bilateral treaty on GIs negotiated and signed by China. The agreement consists of fourteen articles and seven appendices, mainly establishing the rules for the protection of GIs and the list of GIs for mutual recognition, etc. It includes a total of 550 GIs (275 each) from China and Europe, covering alcohol, tea, agricultural products, food and so on. According

to the agreement, the protected GIs can not only be protected in each other's market, but also use each other's official symbols.

3. Interbranch Cooperation

Interbranch cooperation is a characteristic mechanism in the international protection of GIAPs. Through exchanges and cooperation with international organizations of the same industry, industry associations have made positive contributions to the international mutual recognition of GIs, including in terms of standard setting, publicity and promotion. For example, China's tea industry associations cooperate with international tea organizations to promote the international recognition of China's GIs in the field of tea production. By participating in international tea exhibitions, organizing tea tasting activities, and issuing guidelines on the protection of tea GIs, China's tea industry associations have enhanced the international visibility and market competitiveness of China's tea. Thus, the efforts of the industry associations have not only helped to enhance the international status of China's GIAPs, but also made a positive contribution to the protection and promotion of GIAPs worldwide (Zhao, Kneafsey, Finlay, 2016).

Challenges to the International Development of Geographical Indications for Agricultural Products in China

Geographical indications of agricultural products in China face many challenges at the international development level. At present, the management responsibilities of GIAPs in China are dispersed between several departments, which results in overlapping or lack of implementation and affects the unified development (Li, Chen, 2013). In addition, the laws, regulations and policies on GIAPs in China are lagging behind, the protection

is insufficient, and there is a lack of international support, which makes GIs lack competitiveness in the international market. While the quantity of GIAPs in China is significant, the quality is uneven, involution represents a serious problem, and competitiveness in the international market is lacking (Qie, Chao, Chen, Zhang, 2023). Finally, the international brand awareness of the owners of GIAPs in China is weak, promotion is insufficient, and there is a lack of effective international cooperation platforms. In order to enhance international competitiveness, it will be necessary to strengthen management coordination, improve laws and regulations, improve product quality, and strengthen international promotion and cooperation.

Multiple leads and unclear management responsibilities

At present, the management of GIAPs in China involves a number of departments, such as the Ministry of Agriculture and Rural Development, the General Administration of Market Supervision, and the State Intellectual Property Office. However, the responsibilities and authorities of these departments are also not entirely clear, resulting in additional overlapping responsibilities or management gaps in the implementation of protection and management, which affects the effectiveness of protection. Along with the agricultural and rural departments of the provinces and municipalities, the Ministry of Agriculture and Rural Development is mainly responsible for the development and registration of GIAPs, while the State Intellectual Property Office is responsible for the management of some general GIs. In addition, the General Administration of Market Supervision (GAMS) performs specific regulatory functions in the trade of agricultural products (Yin et al., 2024).

Although the multiple leadership of management subjects ensures the comprehensive management of GIAPs, it also affects the unified development of GIAPs to a certain extent. First of all, the multi-party leadership has resulted in unclear responsibilities for the management of GIAPs. Although GIs are considered as a category of intellectual property, the identification, registration and supervision of GIAPs cannot be subject to the same management approach as other categories of intellectual property, resulting in the weakening of intellectual property characteristics of GIAPs, and also forming the current situation of haphazard development of GIAPs. Second, the regulation of GIAPs by various departments has led to the indiscriminate issuance of GIAPs nationwide. Although GIAPs have the characteristics of both agricultural products and intellectual property rights, they are more often regulated by agricultural and rural departments in the absence of a clear distinction from other intellectual property rights, leading to abuses in the issuance of GIAPs throughout the country (Brander, Cui, Vertinsky, 2017). Finally, the sharing of information about GIAPs tends to be rather haphazard. The lack of an effective information sharing mechanism among multiple management agencies has led to the emergence of information islands in the protection and management process; moreover, the lack of a matrix effect with other upstream and downstream intellectual property products has affected the overall development of agricultural products in China (Prud'homme, Zhang, 2019).

Lagging laws, regulations and policies

The problem of backward laws, regulations and policies affecting the international development of GI of agricultural products in China is mainly reflected in the following aspects. Firstly, domestic laws, regulations, and

policies are not strong enough to protect GIs. The existing laws and regulations lack a clear regulation on GIs; at present, the registration and management of GIs lacks a clearly defined legal basis for protective measures against the infringement of GIs, including their identification, revocation and evaluation. This leads to difficulties in fully safeguarding the legitimate rights and interests of GIs along with the formation of a large number of homogeneous accounts and competition, which has a significant negative impact on the development of high-quality agricultural products with GIs. Secondly, there is a lack of international support in laws, regulations and policies. As a significant agricultural producing country, China has been in a long-term disadvantage in the international agricultural product market due to the lack of legal support for the GIAPs. The large number of registered GIs leads to the formation of a generalized situation of domestic GIs, but does not necessarily enhance international competitiveness. Significant variations in quality standards of existing agricultural products with respect to international agricultural products affect the international brand building and market promotion of GIs (Liu, Qiao, 2023). Thirdly, there is a lack of both a legal basis and a practical ability to combat international infringement. At present, China's GIAPs lack international protection mechanisms and only enjoys mutual recognition with a few countries for some GIs. At the same time, some countries find all kinds of ways to exclude China's agricultural products from occupying a position the international market, against which practices China lacks a means of redress. As a result, GIAPs in China are only protected within the domestic region, while in the international arena, it not only lacks protection mechanisms but is also subject to all kinds of development constraints.

Large number of geographical indications for agricultural products and unstable quality

Currently, a significant number of GIAPs have been approved by provinces and municipalities in China. However, the approval standards vary across different departments and regions, leading to issues in the application process, such as prioritizing quantity over precision. These issues are primarily reflected in the following aspects. Firstly, the approval of the registration of GIAPs emphasizes quantity but not quality. Provinces and cities intend to promote their own agricultural products to other provinces and cities through the approval of GIAPs, while other provinces and cities also intend to promote their own agricultural products in the same way, resulting in the current high number of GIAPs in China and low standards. The excessive pursuit of an increase of quantity and concomitant neglect of the quality of the application leads to the fact that some products that do not comply with the conditions of GIs included in the scope of protection, which affects the brand value of GIs. Secondly, the capacity of GIAPs varies greatly and their quality is uneven. The registration and approval of GIAPs involves the characterization of relevant agricultural products by geographical features, implying their higher quality, smaller but stable modes of production, and difference from other regional agricultural products. However, at present, the quality of many GIAPs in China is not stable, both in terms of the number of harvests per season and the quality of the unstable situation. Moreover, some agricultural products are produced in large quantities in order to expand the scale of the market, but this has a detrimental effect on the value of GIs of the situation. Thirdly, there is a lack of motivation to become involved in export markets due to internal consumption. GIAPs in various provinces and cities are

primarily used to capture the domestic market. However, unstable quality and failure to meet international import standards reduce their appeal in the global market. With the exception of a few nearby developed countries that import some agricultural products due to geographical factors, these indications are rarely recognized or protected in Western developed countries. Currently, they lack recognition and protection abroad, and the likelihood of achieving such recognition in the near future remains low.

Insufficient international brand awareness and marketing

In terms of shortcomings in the international brand awareness and marketing of GIAPs in China, the main problems include weak international brand awareness. Many producers and enterprises lack the initiative to build and maintain brands due to insufficient knowledge of the brand value of GIs (Zheng, Huang, Zheng, 2022). Rural areas or cities that are more active in the domestic sale of agricultural products attract buyers through various means, such as live broadcasting with goods. However, international brand awareness in the field of agricultural products remains insufficient, resulting in less frequent promotion through international platforms. Since there are fewer cases of China's agricultural products being registered as GIs or other intellectual property rights in other countries, the brand effect of GIs is not fully realized (Huang, 2024). In addition, international promotion is not vigorous. Compared with electronic products or other goods exported from China, governments at all levels have made insufficient efforts to promote GIAPs internationally, holding fewer exhibitions of various kinds, joining fewer industrial organizations, and generally lacking systematic international promotion strategies and means. This has led to the limited

popularity and influence of GI products in the international market.

The lack of opportunities for international cooperation has several aspects. Owners of GI agricultural products in China, i.e., local governments, have fewer opportunities to cooperate with international organizations of the same industry due to a lack of effective international cooperation platforms and mechanisms. Despite their inherent advantages, many agricultural products lack influential industry organizations in the international arena or discourse power in China in relevant industry organizations, which affects the international promotion and market expansion of GI products.

International Trends in the Development of Geographical Indications for Agricultural Products – The Case of the European Union

The EU Coordinated Mechanism for the Management of Geographical Indications for Agricultural Products represents a comprehensive system for protecting the quality and reputation of GI products through strict laws and regulations, quality control, and international cooperation. GIs in the EU are divided into protected designation of origin (PDO), protected geographical indication (PGI) and geographical indication (GI) types to address different stages of production and processing of agricultural and food products. As well as offering a high level of detail, the EU GI regulations provide comprehensive protection and various means for simplifying the registration process. In 2024, the EU adopted a new GI regulation that further strengthens protection measures and launched the GIview database to centralize and make publicly available information on GIs. Market regulation and industry self-regulation mechanisms ensure the quality and identity of GI products. Inde-

pendent third-party organizations conduct quality inspections, and market regulators conduct regular inspections to ensure product authenticity and legitimacy. In addition to strictly adhering to production protocols, producers and agricultural organizations actively participate in protection and promotion. The EU actively promotes the international mutual recognition of GIs and has signed free trade agreements or agreements on the mutual recognition of GIs with a number of countries and regions to promote its protection standards in the global market. The China-EU Agreement on Geographical Indications is an important result of the international mutual recognition of GIs in the EU. The EU promotes its GI products and enhances its international reputation by participating in international exhibitions and establishing industry associations and representative organizations. Faced with the challenges of the global market, the EU is building a global fence for the protection of GIs, encouraging more countries to recognize and incorporate them into their national intellectual property systems. As well as enhancing the market competitiveness of agricultural products, this represents an attempt to protect and maintain Europe's agricultural cultural heritage (Christiansen, Kirchner, Wissenbach, 2018).

Coordination mechanisms for the intra-territorial management of geographical indications for agricultural products in the EU

I. Sophisticated legal and regulatory system

As a traditional and long-established agricultural production region, the European Union (EU) has very detailed regulations for geographical indications, covering not only production and processing standards, but also rules for the sale and marketing of products. These regulations provide comprehensive

protection for GI products, ensuring that they meet high quality standards from field to fork.

The concept of GIs originated in Europe. Currently, the EU defines GIs as signs indicating the specific geographical origin of products whose specific quality, reputation or other characteristics are essentially attributable to their geographical origin. The three types into which GIs are categorized can be broken down as follows:

1) Protected Designation of Origin (PDO) – used for agricultural products and foodstuffs, guaranteeing that all production, processing and preparation takes place in a specific region;

2) Protected Geographical Indication (PGI) – used for agricultural products and foodstuffs where at least one stage of production, processing or preparation takes place in a specific region;

3) Geographical Indication (GI) for spirits – at least one of the distillation or preparation stages takes place in a specific region, but the raw materials do not necessarily come from that region (Song, 2021).

In principle, the three classification categories cover the vast majority of primary and processed agricultural products in the EU. In terms of registration and protection, the EU has a harmonized legal framework that simplifies the process of registering GIs. The registration process, which is handled by the European Commission, legally protects registered product names throughout the EU against counterfeiting and misuse. This further simplifies the registration procedure, strengthens the protection of GIs, and reinforces the protection of GIs when used as raw materials.

In addition to the general registration and protection laws and regulations, the EU has also introduced the following supporting regulations:

1) For the protection of GI products sold online, measures to combat the online sale of illegally used GIs and to close down domain names that illegally use GIs through a domain name alert system;

2) Encourage the adoption of sustainable practices for GI products, such as environmental, economic or social sustainability, and allow producer groups to include them in product specifications;

3) Establish a voluntary recognition system for GI producer groups that will enable producer groups to manage, implement and develop their GIs to strengthen their position in the value chain;

4) Launch the GIview database, a searchable database of all GIs protected in the EU for consumers, producers and IP professionals.

II. Flawless market supervision and industry self-regulation

In addition to the various laws and regulations, the EU also has a highly developed market supervision mechanism and industry self-regulation mechanism, which makes EU GI agricultural products with stable production and high quality famous all over the world.

In general, the quality control of GI products in the EU is extremely strict. Once a GI is registered, the products concerned must pass a series of quality tests, including tests on raw materials, production processes and final product characteristics. These tests are not carried out by the producers or local governments but are typically carried out by independent third parties to ensure the objectivity and impartiality of the results. Market regulators in the EU play a key role in GI protection. They ensure the authenticity and legitimacy of GI products through regular market inspections and monitoring. When GI rules are violated, the regulators take strong action, including fines, product recalls, and even criminal prosecution.

As owners and producers of GIAPs, the concerned companies or agricultural organizations strictly follow production procedures to ensure that the quality and characteristics of the products do not change over time and that any applied innovative technologies do not alter the essential characteristics and attributes of the GIAPs. Producers must also actively participate in the protection and promotion of GIs and enhance the market competitiveness of GIs by continuously improving product quality and innovating production processes. The EU also places special emphasis on local and community participation in the protection and management of GIs. GIs are not only a sign of product quality, but also a reflection of local culture and tradition. By involving local communities in the protection of GIs, the EU is not only protecting its GIAPs, but also the cultural heritage of the products or production processes concerned.

Status and Trends of International Development of Geographical Indications for Agricultural Products in the EU

Based on its deep agricultural tradition, as well as the large number and high reputation of GIAPs in the region, the EU actively promotes the realization of international mutual recognition, continuously improves the international status and recognition of its GIs products, and begins to build a global protection fence.

I. Active promotion of international mutual recognition of GIs

The EU has actively promoted the international mutual recognition of its GIs. By signing free trade agreements or agreements on the mutual recognition of GIs with different countries and regions, the EU has successfully promoted its standards for the protection of GIs in many global markets. As well as having signed bilateral agreements with 32 countries to date, the EU currently has 14 additional

bilateral negotiations underway. These agreements cover not only traditional agricultural and food products, but also specialty products such as wines and spirits. These negotiations cover a wide range of countries and regions, demonstrating the EU's determination to promote its standards for the protection of GIs on a global scale. In this way, EU GIs will be more widely recognized and protected.

The signing of the China-EU Agreement on Geographical Indications between China and the EU is an important achievement for both China and the EU in terms of the international mutual recognition of GIs. The signing of the agreement signifies the commitment to the protection of GIs between China and the EU, and provides legal protection and market access for agricultural products from China and the EU to enter each other's markets. According to the China-EU GI Agreement, the two sides will add 175 new products to the list of the second batch of GI protection within four years from the entry into force of the Agreement. This commitment will further expand the scope of GIs on both sides in each other's markets and strengthen the cooperation between the two sides in the protection of GIs.

II. Global promotion of GIs

As the originator and leader of the GI mechanism, the EU has actively promoted its GI products through international conferences, exhibitions and promotional activities. These activities have not only raised the international profile of EU GIs, but have also opened up new markets for EU agricultural products. On the one hand, the EU actively participates in all kinds of international exhibitions and sends companies or local governments to actively promote its GI agricultural products and enhance their international visibility. For example, at the China Import and Export Fair

(Canton Fair) and the China International Consumer Goods Expo (Hainan Expo), the EU actively promotes its own GIAPs. On the other hand, the EU promotes international cooperation and promotion of GI products through the establishment of industry associations and representative organizations, such as the China-Europe Association for Technical and Economic Cooperation. These multinational industry associations and representative organizations take responsibility for promoting and protecting GIs in destination countries, expanding markets in other countries, and at the same time detecting infringements in time for legal protection.

III. Building a global fence

Although the EU has made remarkable progress in the international mutual recognition of GIs, it also faces some challenges. Emerging countries, led by the United States, have adopted different protection modes for agricultural products than the EU, and are trying to seize the global market for agricultural products, thereby squeezing the EU-led GI protection mechanism. At present, the EU is actively building a global GI protection fence and promoting the GI mechanism to be recognized by more countries and incorporated into their domestic intellectual property system. Alternatively, through the mutual recognition of GIAPs, it will take the lead in realizing the regional protection of GIs of some agricultural products. At present, the two modes of protection of agricultural products are in fierce competition, which also brings many uncertainties to the global protection of GIAPs.

Recommendations for the International Development of Geographical Indications for Agricultural Products in China

China should commit itself to promoting the international development of GIAPs, and

strengthen the registration, protection and promotion of GIAPs by integrating management departments, coordinating applications for GIs for primary and processed agricultural products, as well as by improving the overall level of internationalization. These measures will help enhance the competitiveness of GIAPs in the international market and directly promote the economic benefits of GIAPs, while providing foreign consumers with more choices of high-quality, culturally rich Chinese products. Through these efforts, China will promote the international development of GIAPs, advance agricultural production and the “three products and one label” for agricultural products, increase the supply of green and high-quality agricultural products, and promote the high-quality development of domestic agriculture.

Integration of management

China should designate the agricultural and rural sector as the competent unit responsible for the registration, protection, and promotion of GIs. This includes the establishment of a nationally unified management system with a clear hierarchical relationship through the hierarchical division of county, city, province, and national levels to promote orderly competition and merit-based approval. In order to improve management efficiency and transparency, the agricultural and rural sector should follow the example of the State Intellectual Property Office by establishing a GI information management platform to realize centralized management and public information retrieval. At the same time, the law enforcement and supervision system specialized in dealing with the infringement of GIAPs should be strengthened, the capacity of agricultural administrative law enforcement departments should be improved, and an administrative reconsid-

eration mechanism should be established within the department to protect the legal rights of the parties concerned.

1. Further clarify the agricultural and rural departments as the competent units for GIAPs

In order to coordinate the international development of GIAPs in China, a unified department should be granted the necessary management powers. As a directly related department having professional competence in the production, management, and protection of agricultural products, the agricultural and rural sector should further clarify its role as the competent unit for GIAPs to take responsibility for the registration, protection and promotion of GIs. Firstly, the agricultural and rural sector needs to clarify its responsibilities in the management of GIs, including but not limited to the acceptance, examination, registration, supervision, and protection of GIs. Secondly, the departments of agriculture and rural affairs need to coordinate with other relevant departments to form a unified management mechanism, especially to sort out the composition of “trademarks”, “geographical indications of agricultural products” and “geographical indications of non-agricultural products”. In particular, it should distinguish the compositions of “trademarks”, “geographical indications of agricultural products”, and “geographical indications of non-agricultural products” in order to manage GIAPs as a separate type of intellectual property. Finally, following the example of the State Intellectual Property Office, the departments of agriculture and rural areas should establish a GI information management platform to realize the centralized management and public consultation of GI information as a means of improving management efficiency and transparency.

2. Establish a national unified GI management system for agricultural products

At present, the management system of GIAPs in China is scattered across different departments; an even more dispersed picture emerges among the various local provinces and cities. As mentioned above, different provinces and cities compete by promoting the application of GIAPs, resulting in a large number of GIAPs with no underlying system, unstable quality, and significant homogenization, which is detrimental not only to the construction of a unified national market, but also to the export of advantageous GIAPs. China should follow the example of the European Union to re-divide the registration and approval mechanism of GIAPs, and differentiate the categories of GIs by county, city, province and national level, and clarify the effectiveness of GIs to form a clear hierarchical relationship of GIAPs, and the Ministry of Agriculture and Rural Development will eventually approve the registration of national-level GIAPs to form an orderly competition and approval of the best situation.

3. Strengthen the handling of infringement of GIAPs

The Ministry of Agriculture and Rural Affairs should follow the example of the Intellectual Property Office and other departments to establish a law enforcement and supervision system to deal with the infringement of GIAPs. First of all, in terms of enforcement, the Ministry of Agriculture and Rural Affairs should step up the reform of agricultural administrative law enforcement departments to place the issue of infringement of GIAPs on an equal footing with that of agricultural product quality. Therefore, agricultural administrative law enforcement departments should strengthen the training of their staff in law enforcement skills, particular in terms of supplementary

learning on the issue of GI infringement of agricultural products. Second, an administrative reconsideration mechanism for GIAPs should be established within the agricultural and rural sectors to protect the legal rights of the parties concerned and maintain the authority of GIAPs. Finally, the penalty standard of GI of agricultural products infringement should be clarified. For enterprises, traditional means such as restriction of operation and fines can be adopted. The responsibility of relevant responsible persons for the subject of infringement of public authority should be clarified so as to achieve strict law enforcement.

Coordination of applications for geographical indications for primary and processed agricultural products

China should explore the feasibility of linkage applications, encourage upstream and downstream applicants of GIAPs to make joint applications, realize cluster protection, and give priority to GIs of processed agricultural products in international mutual recognition. China should also strictly control production, quality, and reputation to ensure the sustainable development of GI products. It should establish a strict quality control system, realize mutual supervision of upstream and downstream production of agricultural products, and strengthen brand management and market promotion to maintain the international reputation of GIs. At the same time, China should also explore the historical and cultural value of GIAPs as a means of enhancing the cultural connotation and market attractiveness of products through cultural marketing and cross-border cooperation. Such an approach is likely to be an effective means of strengthening the competitiveness of the international market.

1. Study the feasibility of linking the application of GIs for primary agricultural products corresponding to processed agricultural products

At present, the registration and approval of GIAPs in China does not distinguish between primary agricultural products and processed agricultural products. However, most of the agricultural products exported from China are primary agricultural products; processed agricultural products offering high added value and a clear brand effect are relatively fewer in comparison with the standards of agricultural products of other countries. Based on this, the feasibility of linkage application of GIs for primary agricultural products and processed agricultural products should be explored. First, the corresponding types of processed agricultural products should be distinguished based on primary agricultural products. This will allow the relationship between upstream and downstream industrial chains to be clarified so as to further reduce processing costs and open up links between production, processing, and export. Second, in the application of GIAPs, the relationship between the application of GIs for primary agricultural products and processed agricultural products should be clarified, with both upstream and downstream GIAP applicants being encouraged to jointly apply for groups of GIAPs so as to realize clustering protections. Finally, in the international mutual recognition of GIs, the tendency of selecting GIs for processed agricultural products should be strengthened. GIs with high added value and sales potential in international markets should be encouraged to realize mutual recognition.

2. Strictly control the production, quality and reputation of primary agricultural products and processed agricultural products

Since the core value of GIAPs lies in their unique quality and reputation, strict control of production quality and reputation is the key to ensuring the sustainable development of GIs. First of all, the production

of primary agricultural products and processed agricultural products should be strictly controlled. A high yield of primary agricultural products may correspond to several processed agricultural products. From the review of world famous GIAPs, the output of processed agricultural products corresponding to primary agricultural products should be controlled. It is clear that blindly expanding the output of GIs of primary agricultural products will have a negative impact on the quality and reputation, which in turn will affect the quality and reputation of GIs of processed agricultural products. Second, a strict quality control system should be established for GIs of primary agricultural products and GIs of processed agricultural products to ensure that each link from raw materials to finished products meets the standards of GIs. The establishment of such a quality control system depends not only on market regulators, but also on industry associations, producers, and consumers. Supervision of the two types of GI agricultural products should be linked to ensure that upstream and downstream agricultural production carry out mutual supervision. Finally, the reputation of primary and processed agricultural products should be strictly controlled. Support for industry associations should be strengthened while maintaining and enhancing the international market reputation of the GIs of the two types of agricultural products through effective brand management and international market promotion.

3. Deepening the historical roots and culture of GIs for primary agricultural products and GIs for processed agricultural products

GIAPs often have deep historical and cultural roots, and these cultural values are important resources for enhancing the added value of the products. At the same time, the formation of GIs for processed agricultural products

often relies on various types of GIs for primary agricultural products. Exploring the history of the relationship between the formation of the two is conducive to telling the cultural history of GIAPs. Here, in the first place, it is necessary to study the historical background, origin story, and cultural tradition of GIAPs in depth in order to unearth their unique cultural value. It should be clear which primary agricultural products are used as raw materials for the formation of characteristics of processed agricultural products and thus whether GIs have been formed. Secondly, based on the inheritance of history and culture, innovative development should be carried out by combining modern market demand and consumer preference. Proactive changes should be made to reconstruct the historical and cultural history in response to consumer preferences for processed agricultural products, especially international consumers. Finally, cross-border cooperation with cultural tourism and artistic creation should be promoted to expand the international cultural influence of GI products.

Enhancement of internationalization

Learning from the successful experience of Yiwu Small Commodity Market, China should promote the internationalization of GIAPs, promoting them through the establishment of a unified and efficient market system and improved logistics network. At the same time, China should strengthen its support for organizing international exhibitions and set up exclusive zones to promote competitive GIAPs to enhance their international popularity. In addition, China should cultivate potential agricultural products as potential international mutual recognition objects, realize mutual recognition of GIs with more countries, and enhance the international influence of GIAPs by registering trademarks abroad.

1. Learn from the experience of Yiwu to realize more GIAPs going out of the country

As the distribution center of small commodities in China, the internationalization experience of Yiwu is of great significance for the internationalization of GIAPs in China. Yiwu has successfully promoted commodities to the international market by establishing an efficient market system, a state-of-the-art logistics network, and an innovative business model. China's GIAPs can learn from this experience and explore the internationalization path suitable for its own development by combining its own characteristics. First, it should rely on the whole country to build a unified large market, integrate GIAP markets in each province and city, establish an efficient and transparent market system, provide a fair competition platform for GIAPs, and create an export system for agricultural products produced in China. Second, the logistics network should be further improved to enhance the transportation efficiency of GIAPs and reduce logistics costs. Green channels should be established in provinces and cities for the circulation of GIAPs, helping to guide the flow of agricultural products to foreign markets through tax exemptions and road toll exemptions. Finally, the cluster effect of GIAPs should be brought into play in large agricultural provinces, and the cluster development of GIAPs should be promoted, so as to promote the formation of upstream and downstream relationships of GIAPs throughout the region, enhance competitiveness, and promote GIAPs in the international market on the basis of their merit thus preventing involutionary competition.

2. Organize international exhibitions for GIAPs

While China is making increasing efforts to organize various international exhibitions, neither the China Fair nor the Canton Fair has featured agricultural products as an import-

ant component of exhibition and marketing content. China should take the initiative to apply for international exhibitions of GIAPs in order to enhance the visibility and attractiveness of GIAPs in the international arena. First of all, an “exclusive area for GIAPs” should be established in existing exhibitions to feature GIAPs having strong competitiveness and good prospects in the international market as a means of attracting foreign buyers to come to China for direct negotiation and purchase. Second, special exhibitions for promoting GIAPs organized in large agricultural provinces should introduce the characteristics of GIAPs into the province in a clustered manner, including all kinds of primary agricultural products and processed agricultural products. This will have the effect of forming the characteristics of the province, which can then be introduced onto foreign markets according to demand. Finally, in response to foreign embassies, the World Food Organization, and other organizations, the promotion of GIAPs by means of local language explanations and cultural experiences will help to attract the attention and interest of international buyers.

3. Cultivate potential agricultural products as potential targets for international mutual recognition

On the basis of the mutual recognition of GIs with the EU, China should increase the selection of GIAPs as the object of mutual recognition. Compared with other GIs, GIAPs have extensive upstream and downstream clustering effects. Thus, the related primary agricultural products and processed agricultural products can realize a linkage effect to ensure that agricultural products are protected in a comprehensive way. In the coming years, the number of selected GIAPs should be further increased with a view to achieving mutual recognition between China and Europe. At the same time, in view of the different protection modes

of GIAPs in the world, China should exploit its status as a traditional and long-established agricultural country to explicitly adopt the GI mechanism protection mode and realize the mutual recognition of GIs with more agricultural product purchasing countries. For the United States and other countries that have not adopted the GI mechanism, China should build protection fences for agricultural products. The popularity and influence of GIAPs can be enhanced by registering trademarks abroad or realizing the export of agricultural products with labels and other ways.

Conclusion

Having first established a system of basic laws and regulations on GIAPs, China has issued a series of basic policy documents to support the development of the GIAP mechanism. At the same time, various trade agreements signed between China and other countries include part of the international cooperation content of GIs. Moreover, China has set up a special agreement on GIs to promote the international development of GIAPs based on the cooperation of industry associations. However, at present, the management responsibilities for China's GIAPs remain unclear. The involvement of many parties in the management of laws and regulations, as well as policies as a whole results in the protection standards and methods being less effective than those of international GIAPs. While the registration of a large number of GIAPs has been approved, the unstable quality, lack of international brand awareness, and lack of promotion for the international market renders the mechanism less effective. As a region with a long history of association with GIAPs and their development, the European Union has a relatively well-developed intra-territorial management and coordina-

tion mechanism, an advanced system of laws and regulations, and an effective market supervision and industry self-regulation mechanism. At present, the EU is actively promoting the international mutual recognition of GIs, promoting its own GIs worldwide, and building a global protection fence for various protection modes. On this basis, China should further integrate the management departments, clarify that agriculture and rural areas are not in charge of GIAPs, build a national unified management system of GIAPs, and strengthen the handling of infringement of GIAPs. At the same time, China should coordinate the application of GIs of primary agricultural products and processed agricultural products, explore the feasibility of linking the application of GIs of primary agricultural products to processed agricultural products,

strictly control the production, quality and reputation of primary agricultural products and processed agricultural products, and deepen its understanding the historical roots and culture of GIs of primary and processed agricultural products. The experience of Yiwu can be used to further enhance the level of internationalization, realize more GIAPs outside the country by organizing international exhibitions of GIAPs, and cultivate high-potential agricultural products as objects of international mutual recognition. Through the described series of initiatives, China can promote its high-quality GIAPs to the world to achieve recognition and protection in other countries. The realization of the international development of GIAPs will ultimately be of benefit in stimulating China's rural revitalization.

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