

FROM VINEYARDS TO FIELDS: THE EVOLUTION OF ORIGIN-LINKED PROTECTION IN SOUTH AFRICA

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SOUTH AFRICAN WINE INDUSTRY

- Pre-2000 – Growth Phase
- Post-2000 – Integration in global market ‘New World’
- New innovations in viticulture – increased exports
- Vision 2020 - South African Wine and Brandy Company
- Government partnership arrangements anchored on the Wine Industry Strategy Plan
- Consolidation and reinvestment – participation of black farmers and entrepreneurs in the value chain

SOUTH AFRICAN WINE OF ORIGIN SCHEME

- The Wines of Origin System established in 1973 in terms of the Liquor Products Act
- Certification scheme designed to regulate and protect the geographical origin, variety, vintage, and quality of South African wines.
- Administered by the South African Wine and Spirit Board
- Net exporter of wine - 68% of wine exports to the EU since 2001 (UK, Germany, Netherlands and Sweden)

LEGAL FRAMEWORK FOR ORIGIN-LINKED PRODUCTS

- Product-based approach to protect origin-linked products
- Hybrid system – trademark laws, consumer protection laws and sui generis legislation for specific products
- The Agricultural Products Standards Act 119 of 1990 and the Liquor Products Act 60 of 1989 - product specific legislation for origin-linked products
- The Merchandise Marks Act 17 of 1941 - consumer protection law
- The Trade Marks Act 194 of 1993 - trademark law.

AGRICULTURAL PRODUCTS STANDARDS ACT 119 OF 1990

- Regulations Relating to the Protection of Geographical Indications used on Agricultural Products intended for Sale in the Republic of South Africa (GI Regulations of 2019),
- Introduce legal provisions for the registration and protection of foreign GI and local GI for all agricultural products
- EU-SADC Economic Partnership Agreement bilateral protocol on GI - 105 South African names are protected in the EU

THANK YOU!

