

Frequently Asked Questions

Public Objections Process: EU Wine Geographical Indications

Last updated: 6 April 2023

1 [What is a GI?](#)

Geographical indications (GIs) are names used on a product that has a specific geographical origin and possesses qualities or a reputation that are essentially attributable to that origin.

2 [What is a public objections process?](#)

A public objections process allows interested stakeholders, including individuals, businesses, trade mark owners and industry representatives, to lodge submissions regarding a particular issue.

Australia is negotiating amendments to the *Australia-European Community Agreement on Trade in Wine* (Wine Agreement). The European Union (EU) is seeking protection of 50 new wine GIs, updates to existing wine GIs and has again sought protection for Prosecco and Vittoria.

To progress negotiations and to meet our international obligations, the Australian Government is running a public objections process to hear directly from interested stakeholders who may be impacted by the EU's request for Australia to protect specific EU wine GIs. The government will use the information provided to help inform its decisions.

3 [How long does the public objections process run?](#)

The submission period will run for four weeks from **AEDT 11 am Friday 24 March to AEST 12 pm Friday 21 April 2023**.

We are accepting submissions until **AEST 12 pm Friday 21 April 2023**. Submissions will not be accepted after this time.

4 [What GIs have the EU requested?](#)

The EU is seeking protection for 50 new wine GIs under the Wine Agreement, updates to 103 existing wine GIs and has again sought protection for Prosecco and Vittoria.

A public objections process is required for 55 terms. These are:

- All 50 proposed new wine GIs
- 3 significant updates to existing wine GIs
 - Tierra de León/ León
 - Delle Venezie/Beneških okolišev
 - Coteaux du Languedoc Picpoul de Pinet/Picpoul de Pinet
- Prosecco

- Vittoria

A full list of EU wine GIs covered by the public objections process is available in the Have Your Say 'Documents' section.

Proposed updates to 100 existing wine GIs are not included in this process as they are transliteration updates or other minor amendments, such as spelling changes. The EU has also requested the removal of six existing EU wine GIs from the Wine Agreement which are also not covered by this process.

Existing EU wine GIs are not covered by this process and are already listed in either Wine Australia's Register of Protected Geographical Indications and Other Terms or the Wine Agreement text (2010 version).

5 What is the difference between translation, transliteration, and transcription?

Transliteration is when the characters in a word are transferred from one writing system to another writing system.

A translation is the conversion of the word in one language to the same word in another language, using the same writing system.

A transcription is the conversion of the characters of one language to the characters of a second language in accordance with the pronunciation of the second language. The phonetic transcription into the written word.

For example:

Term (in Greek)	Transliteration	Translation	Transcription
Στερεά Ελλάδα	stereá eláða	<i>Central Greece</i>	<i>sterea ellada</i>

6 I have a concern about a transliteration/translation update in Appendix B. Can I submit an objection?

Wine GIs that are listed in Appendix B due to a proposed updated transliteration/translation are not included in the formal public objections process because they are not new or significantly varied GIs.

However, if you have a concern about a proposed change to the current transliteration/translation in Appendix B, we would appreciate your views. You are invited to provide your concerns to winepolicy@agriculture.gov.au.

7 Are terms separated by "/" treated separately from each other?

The "/" denotes the separation of similar, but separate terms. For example, Friuli/Friuli Venezia Giulia/Furlanija/Furlanija Julijska Krajina are four separate terms.

Protection is not being sought for individual components of multi-component terms, except where they are separated by a "/".

If there is “/” in the term that you are lodging a submission for, you must stipulate whether you are objecting to protection for one component or the whole multi-component term.

8 I want to lodge a submission for Prosecco. Which GI do I select?

If you wish to lodge a submission for Prosecco, select the GI ‘Prosecco’ when filling out the submission form on the Have Your Say webpage.

There are two other proposed GIs covered by this process that include the term Prosecco as part of a multi-component term. These are ‘Conegliano Valdobbiadene – Prosecco/Valdobbiadene – Prosecco/ Conegliano – Prosecco’ and ‘Colli Asolani - Prosecco / Asolo – Prosecco’. *Protection is not being sought for individual components of multi-component terms, except where they are separated by a “/”.*

If you have an objection to these specific proposed GIs in full, please lodge a submission for them. However, if you have an objection to the EU's proposal to protect Prosecco, please lodge your objection against 'Prosecco'.

You can also choose to lodge submissions for more than one proposed GI.

9 Why are three of the proposed updates to the EU wine GIs subject to the public objections process?

The Australian Government is running a public objections process for three GIs for which the EU is proposing significant updates.

- *Tierra de León/ León* (*Tierra de León* is protected in Australia, however *León* is not);
- *Delle Venezie/Beneških okolišev* (*Delle Venezie* is protected in Australia, however *Beneških okolišev* is not); and
- *Coteaux du Languedoc Picpoul de Pinet/Picpoul de Pinet* (*Coteaux du Languedoc Picpoul de Pinet* is protected in Australia, however *Picpoul de Pinet* is not).

The EU is seeking protection for the GI Picpoul de Pinet. This does not mean that words that are part of the GI, such as Picpoul, will be protected (for example, *Coteaux du Languedoc Picpoul de Pinet/Picpoul de Pinet*).

Australia has protected *Coteaux du Languedoc Picpoul de Pinet* since the 2010 Wine Agreement. The terms *Picpoul* and *Piquepoul Blanc* can still be used in Australia, even if *Picpoul de Pinet* becomes protected. But the whole term is subject to a public objections process so that Australian wine industry stakeholders can voice their concerns about how the protection of the compound term will affect their business and the industry.

10 Who can make a submission?

Any stakeholder with an interest in any wine GI term included in this process, including businesses, trade mark owners or members of the public, can submit an submission on the basis of one or more of the four grounds for objection.

11 [How do I make an objection / submission?](#)

To make a submission to either a proposed new EU wine GI or a proposed update to an existing EU wine GI, visit the Department of Agriculture, Fisheries and Forestry's [Have Your Say webpage](#).

All submissions must be in writing and should be supported by relevant information and evidence, against the grounds of objection.

One online form can be completed for a submission for up to five EU wine GIs, but for each EU wine GI you will need to separately indicate which grounds of objection the submission is based.

Only those objections which are formally submitted through Have Your Say will be considered for assessment.

12 [What must be included in my objection?](#)

Your submission must indicate the EU wine GI it relates to and reference one or more of the grounds of objection listed at Question 12. You should also consider the impact protection of a specific EU wine GI would have on your business, trade mark and/or the Australian wine industry.

Your submission should be supported by relevant information and evidence.

You can upload up to two (2) attachments as evidence along with the text body of your submission.

Examples of evidence include:

- Evidence of use of a term in the marketplace.
- A letter from your solicitor supporting your claims made in the submission.
- Impact statement stating how a protected wine GI would affect your business, including financial projections, such as the cost of renaming your product.
- Case studies of how similar situations have negatively affected the wine industry.
- Trade mark numbers or evidence of use if unregistered.

13 [On what grounds can I make an objection?](#)

The four grounds for objection are:

- The EU GI name is used in Australia as the common name for the relevant good, including as a type or style of wine.
- The EU GI name is used in Australia as the name of a grape variety, plant variety or an animal breed.
- The EU GI name is identical to, or likely to cause confusion with, a trade mark that is registered in Australia or the subject of a pending application made in good faith in Australia. Confusion may be likely where a trade mark consists of, or contains, the EU GI name or something so nearly resembling it.
- The EU GI name is identical to, or likely to cause confusion with, an unregistered trade mark that has acquired rights through use in good faith in Australia. Confusion may be likely where a trade mark consists of, or contains, the EU GI name or something so nearly resembling it.

Your submission must refer to one or more of the above.

The process and grounds of objection also apply to the use of the EU wine GI in translation and transliteration. Stakeholders are invited to lodge submissions related to the possible translation or transliteration of an EU wine GI on the above grounds of objection.

14 [What happens after I make my submission?](#)

Once you lodge your submission through Have Your Say, you will be emailed an acknowledgement of receipt. We will contact you if we require any further information.

Lodged submissions will be reviewed and considered against the grounds for objection. The submissions will help inform the Australian Government's decisions on the protection of EU wine GI terms and provide evidence for use in the Australia-EU Free Trade Agreement (FTA) and Wine Agreement negotiations.

Additional information will be published on the department's website.

15 [Will the Australian Government agree to protect the wine GIs proposed by the EU?](#)

No commitment has been made to protect any GIs. Any protection of GIs will depend on the overall outcomes the EU is prepared to offer Australia under the FTA and Wine Agreement negotiations.

Protection of a wine GI is a decision for the government. While submissions submitted through this process will help to inform the government's decision, the process does not in itself result in a decision to protect a wine GI.

16 [What happens if the Australian Government protects the GI?](#)

GIs are names used on a product that have a specific geographical origin and possesses qualities or a reputation that are essentially attributable to that origin.

If Australia agrees to protect a specific GI term, Australian producers may no longer be able to use registered GI terms, unless an exception applies (such as essential use of a GI in an address, use of a GI in the winemaker's name, or use of a common English word).

Wine Australia as the regulator would enforce this through the *Wine Australia Act 2013* (the Act) which makes it an offence to sell, export or import a wine with a false or misleading description and presentation.

For more information about Australia's wine GI system, visit the [Wine Australia website](#).

The Act provides that where a grape variety name that is the same as a GI, the GI can be protected and the two names are able to co-exist. Similarly, the Wine Agreement provides a framework for co-existence of GIs and grape variety names. Australia will continue to respect the terms of the Wine Agreement and the right for producers to continue to use grape variety names.

17 [Will Australia put forward a list of wine GIs for protection in the EU?](#)

Yes. The EU currently protects over a 100 Australian wine GIs and Australia has requested that the EU protect a further 7. These wine GIs are:

- Australia
- New England Australia
- Pokolbin
- Upper Hunter Valley
- Mount Gambier
- Robe
- Wattonbully

These proposed wine GIs requested by Australia do not need a public objections process in Australia.

18 [How can I learn more about this process?](#)

We are offering online information sessions throughout the public objections process. Visit the Have Your Say webpage to register interest.

We encourage all stakeholders interested in this process to review the Discussion Paper available on the Have Your Say webpage.

19 [The Australian Government already ran a public objections process on Prosecco and Vittoria. Why is the Australian Government running another process?](#)

The EU has previously requested, on three separate occasions, that Prosecco and Vittoria be protected as wine GIs. Public objections processes were most recently undertaken in 2012 for Prosecco.

The government is aware of industry's concerns regarding these terms and is providing stakeholders with an opportunity to provide new evidence and continue to engage and raise further or new objections to the protection of these terms. The public objections process does not indicate that Australia is considering giving up the right for Australian producers to use these names.

Australia's position remains that Prosecco is a grape variety, and that Australian producers should be able to continue to use the term 'Prosecco'.

20 [I already made a submission on a previous public objections process. Do I need to make another submission or can you accept my previous objection?](#)

Yes. Only submissions that are submitted through the Have Your Say webpage before AEST 12 pm, Friday 21 April 2023 will be accepted.

You are welcome to draw on evidence used in your previous submission for your new submission.

21 [What updates have been made to the Discussion Paper since 24 March 2023?](#)

The department updated the discussion paper on 29 March 2023, with two additional wine GIs in Appendix B (GIs that are not subject to the public objections process) and to provide further information on similar wine GI terms.

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Upon further review, proposed updates to two wine GIs (Coteaux bourguignons and Monor/Monori) were not listed in Appendix B of the discussion paper. These proposed updates are not included in the public objection process as they are not considered to be a significant change from the existing GIs of Coteaux Bourguignons (removing capitalisation) and Monor(-i).

Additional clarification has also been provided regarding similarly named wine GIs to avoid confusion and to ensure stakeholders are clear on how to lodge submissions against specific wine GI/s (see also Question 8 above)

Further examples of evidence that can be provided with submissions has also been listed.

On 5 April 2023, the EU notified the Australian Government of an additional correction in the name of a published term, which had been misspelled due to a transmission error.

- “Pays du Bouches du Rhône” changes to “Pays des Bouches du Rhône”

This correction has been listed in Appendix B and is not subject to the public objections process.