

WIPO/GEO/SFO/03/10

ORIGINAL: English

DATE: June 24, 2003



WORLD INTELLECTUAL
PROPERTY ORGANIZATION

WORLDWIDE SYMPOSIUM ON GEOGRAPHICAL INDICATIONS

organized by
the World Intellectual Property Organization (WIPO)
and
the United States Patent and Trademark Office (USPTO)

San Francisco, California, July 9 to 11, 2003

GEOGRAPHICAL INDICATIONS: THE ITALIAN SCENARIO FOR THE WINE
SECTOR

document prepared by Federico Castellucci, Director General, Federvini

1. Italy, as it is known, was called by our ancestors “Enotria Tellus”. Still today, as it has been for thousands of years, Italy is the main world producer of grapes and wines.
2. The wines under Controlled Denomination of Origin are well over 330, out of which 27 are under Guaranteed and Controlled Denomination of Origin. We are here talking about particular appellations and specifications, for a total production of almost 1 billion litres. 125 are instead the wines under Typical Geographic Indication. The total quantity of wine produced in Italy is around 5 billion litres per year.
3. In Italy the wine is the outcome of the natural fermentation of grapes. This is unlike what is allowed by the European Union and by the regulations concerning other countries, where it is possible to add saccharose in order to reach the proper proof, or alcohol content.
4. The geographic position of Italy, the variety present in its territory and the multitude of microclimatic conditions are the source of a large range of different wines (over 3,000). Some of these wines are widely known and well liked all over the world, while others, produced in small quantities and known only to a significantly small amount of connoisseurs, can be found and tasted mainly by visiting the particular areas where they are produced.
5. It is only since 1963, date of the approval of the first law for the protection of the Denominations of Origin, that Italy has seen the official starting point of the process of protection and exploitation of its large selection of varieties and wines, an inheritance which has been there for hundreds of years at least, if not for thousands.
6. We can therefore affirm that particularly during the last 40 years the Italian wines have gained their place into the world market, and this is a success due mainly to the protection of the Denominations of Origin and to the great efforts of brave entrepreneurs that have endeavoured to make their trade marks and the relevant wines known to the international public.
7. On the ground of this positive experience, the Italian Parliament has constantly reviewed the regulations, and today the subject is directed by a law for the protection and regulation of the wines under Controlled Denomination of Origin and Typical Geographic Indication, the Law no. 164, which has been approved on April 1992. This is a demanding law that protects the rights of the consumers.
8. That's why, when talking about Italian wines under Denomination of Origin, “quality” is an intrinsic characteristic, rigorously controlled by the specialised Laboratories and by the pools of wine tasting experts of each Chamber of Commerce.
9. The new norms differ from the old ones mainly in the evolution of the concepts and of the rules. Actually, the previous law was almost completely concerned with the protection of traditions, and therefore in most cases was not updated with the developments occurred in the production of the more active areas.
10. This situation had brought into the market several innovative wines, which we may call “author's wines”, altogether characterised by great quality and high price, but still to be sold as “table wines”, such as, for example the “Super Tuscans”.

11. The consequence has been a certain degree of perplexity. Many consumers and market operators could not understand how a simple table wine could be such a quality wine and cost more than many wines under Denomination of Origin.

12. The new norms have solved this problem, and today the regulation is based on a clear picture of the reality of every area inclined to quality productions, and it is able to relate all the important wines to the natural root of the Denominations of Origin.

13. This new regulation has been defined by many observers and experts as the most strict and modern among those in force in the wine-producing countries in the world and is nevertheless under examination by a group of experts for its further amelioration and updating. Its aim is to upgrade the quality of all the Italian wines, by protecting and exploiting only those “naturally” produced and deserving it. That's why the prohibition to add substances extraneous to the grape (i.e. saccharose) is still present, and the maximum quality is pursued by operating in the vineyard, by reducing the production of grape of every grapevine and by limiting the yield of wine given by every 100 kilograms of grapes.

14. Lets analyse now the most important issues contained into our production norms, in the line of the general philosophy just explained.

15. First of all, the norms instruct about what is meant by **quality** of a wine under Denomination of Origin. Such quality is based essentially on three elements, the so called “quality triangle”:

- a) The type of grape (the species of vine - varietals).
- b) The climate and the soil (factors which influence the quality of the grape).
- c) The human factor, which includes the cultivation techniques, production, preservation and ageing methods.

16. These are the three main factors precisely regulated in the norms for the production of wines under Denomination of Origin. Such norms codify the philosophies and protect especially the environmental factor, which is the unique blend of climate and soil, the only element not reproducible and not transferable to another location.

17. It is in fact well known that certain varietals can be planted elsewhere, as well as the production methods and the professional know-how, factors that nowadays are conveyed to other countries and continents although the outcome will be different for reasons I will illustrate hereunder.

18. The only fixed, non-reproducible factor is the territory, the climate-soil factor, the factor that influence exclusively and decisively the character, the quality and the typical attributes of a wine.

19. The same vine species and the same production techniques used in different environments and soils will origin grapes and wines substantially different.
20. That is why, by protecting the name of the geographical area of production and by codifying all the practises of cultivation, transformation and conservation of the wine, it is possible to establish the concept of Controlled Denomination of Origin.
21. Besides the climate-soil factor, several of the cultivation practises and techniques play a significant role in the production and are therefore integrated in the core of the production norms of a wine under Denomination of Origin.
22. The first of these other factors is the yield of grape per each hectare of vineyard, and the yield of wine per each 100 kilogram of grapes: it is known that, over a certain extent, the more grapes are produced, the less distinct is the quality of the wine.
23. Another criterion is the minimum natural proof (alcohol content). As I said before, in many countries it is a normal practice to artificially increase the wine proof. The natural wine proof, which is the proof reached in the vineyard, not in the cellar, is instead based on the (reduced) quantity, the quality and on the degree of ripeness of the grapes, and is therefore decisively important for the quality of a wine as a whole: you can then understand why the regulation strictly rules and controls this factor.
24. Also important are the cultivation techniques, and more precisely the vineyard plantation style and structure, with factors like the plant density, the grapevine structure and method of pruning, and the techniques of wine-making, ageing in wood and refining in bottle, all factors that influence the characteristics of the wine by the perceived senses: these practises are also defined and controlled.
25. The quality of a wine, besides the most direct factors like the climate, the soil and the vine species, is also into the hands of the producer: his professional knowledge, experience, commitment to respect the rules and bring the wine to perfection. That is why the brand name, the producer's name carries a special value even within the certainties and the guarantees given by the Denomination of Origin.
26. The Italian law, on the ground of the characteristics of quality of the wines, defines a clear order of classification of wines, a kind of pyramid to climb up as far as the quality increases.
27. At the base of the pyramid we find the table wines, which have not a specific limit of production per hectare whose production limits are not fixed: their alcohol proof is regulated by the general, although specific rules of the European Community, their labels are not allowed to bear indication of the varietals used to produced them: production year is also not allowed to be indicated.
28. At the second level are the wines under “Typical Geographic Indication” (like the *French Vin de Pays, the Spanish Vino de la Tierra and the British Regional Wine*), usually produced in rather large wine-production areas, characterised by reasonably substantial production limits.

29. Their label may bear the production year, the geographical area of origin of the grapes, and it is also possible to indicate the vine species or varieties.
30. At the third level are the wines under “Controlled Denomination of Origin”. These wines have to be produced following demanding norms which restrict the production quantity, and require the indication of the production area, the harvesting year: the vine species may be indicated in addition to the area of production.
31. The fourth level, the highest, is that of the wines under “Guaranteed and Controlled Denomination of Origin”, which gathers productions that have to follow all the rules prescribed for the Controlled Denominations, plus a further restriction of the yield of the grapes per hectare and the ensuing of wine.
32. These level can be reached only by wines already with confirmed national and international reputation, which have been recognised as Controlled Denomination of Origin for at least five years.
33. Both the DOC and DOCG (note: DOC stands for Denominazione d'Origine Controllata, Controlled Denomination of Origin; DOCG stands for Denominazione d'Origine Controllata e Garantita, Guaranteed and Controlled Denomination of Origin) wines are included in the category called VQPRD (note: Vini di Qualità Prodotti in Regione Determinata; Quality Wines psr), an acronym used in the European Community.
34. While DOC wines are controlled and tested only once they reach all the relevant quality standards foreseen by the law, the DOCG are also subsequently and for a second time tested for each single batch before their bottling for introduction into the market or even after their mandatory ageing time in bottle has elapsed. For DOCG the Government, through its own State Polygraph, prints a numbered paper strip stamp which has to be placed over the top of each DOCG wine bottle: these strip stamps are distributed by the Chambers of Commerce when the controls have been made.
35. The quantity of such stamps is equal to the number of bottles allowed to be bestowed by the DOCG title: this is to avoid to find on the market a bottle of DOCG wine whose content has not been rigorously controlled before bottling.
36. Within the area prescribed for the production of IGT, DOC and DOCG wines, the laws allow the definition of smaller areas, even single vineyards to stand up for their typical characteristics: the more the areas become small, the more strict are the production norms, up to the extent of defining a kind of Denomination of Origin by Producer, a kind of “*cru*”, as the French say.
37. If this is the picture, “climbing up” the “pyramid” represents an opportunity for the producer (at the harvest, when he can be sure about the quality achieved by his grapes) to choose the classification to be claimed for his wine. It is therefore the producer who chooses the classification, according to the quality he deems to have reached in his vineyard.

38. Nevertheless the results of the chemical/physical analysis he wants to reach and be awarded with, as well as the results of the tasting of the Commission of wine tasters established at the local Chamber of Commerce will rule out whether or not the producer made the right choice, then authorising the claim of the denomination of DOCG or DOC, or IGT or, instead, simple table wine, according to their characteristics.

39. At the base of this possibility is the principle of multivalent vineyards roll, kept in the Chambers of Commerce. The vineyards are enrolled there, and the producer has to report also the data of the harvest when accomplished. The quality achieved will in return decide about the quantity of wine.

40. I have continuously made reference to the “Production Norms”, more or less strict and limiting. Who proposes them?

41. The law prescribes that the specific Production Norms Discipline should be prepared and submitted by the producers of a production area and by the Regional Authorities with the assistance of the technical experts. The National Denomination of Origin Wines Committee, a body established within the Ministry of Agriculture, after all the technical verifications, has then the power to approve such specific Discipline, modify it or reject it.

42. The specific Production Norms Discipline approved is published in the Official Gazette as a proposal for rule making; if no claims or oppositions are lodged against it, this becomes law of the Country.

43. As I have briefly said before, the specific Production Norms Discipline is compelling about:

- a) The denomination and the limits of the geographical area of production of the grapes, normally excluding the lower part of valleys;
- b) the maximum yield of grapes and wine per each hectare of vineyard, and per each 100 kilogram of grapes;
- c) the minimum natural wine proof;
- d) the chemical-physical and sensorial perceived characteristics of the wine, its colour, scent, acidity, dry extract etc;
- e) the conditions of production, with particular reference to the environmental conditions like the climate, the soil, the position, the exposure to the sunlight, the vine species present in the vineyard, the plant density and the grapevine structure and method of pruning;
- f) the techniques of chemical and tasting analysis to be performed;
- g) the minimum ageing period in wood and of refining in bottle, before the introduction into the market.

44. In addition to the above listed compulsory regulations, the producers have the power to propose further ones, as long as such other rules will characterise even more accurately the quality and the uniqueness of the relevant wine, and defend its right place into the market.

45. I would like now to try to summarise how the Italian wines system of Denomination of Origin is organised and by which authorities:
46. The Ministry of the Agricultural, Forestry and Food Resources issues the decrees of approval of the law;
47. The National Committee for the Protection of the DO and IGT wines prepares and approves the production norms after examination, and takes care of the publishing of in the “Official Gazette”;
48. The declarations/statements of vineyard areas are ascertained by AGEA, a Government Agency;
49. The Regional Authority makes proposals and gives advises, and keeps the Vineyards Register;
50. The Chambers of Commerce keep the rolls of vineyards for each Denomination of Origin and Typical Geographic Indication: receive the report of the volumes of grapes produced and are the base of the Commissions for the tasting analysis of wines;
51. The voluntary associations of producers or the Inter-profession Councils of each Denomination of Origin and Typical Geographic Indication;
52. The Department for the Prevention and Repression of Frauds and Adulteration, which has sections in every Region.

The instruments used to implement the law are:

53. The Vineyards Registers kept in every Regional Authority Headquarters, through which the productions are programmed and controlled;
54. The “Vineyards Rolls” for each Denomination of Origin and Typical Geographic Indication, where the producers enrol their vineyards;
Note: recently in order to comply with European Union Regulations all the above data have been rechecked and inserted into a computerized system.
55. The report of the grapes produced at the end of the harvest and the choice of Denomination of Origin and Typical Geographic Indication;
The chemical-physical analysis laboratories;
The Commissions for the tasting and analysis of sensory characteristics of the wines;
The Bottlers Roll and the roll of the wine exporters;
The norms concerning the labelling of the bottles, so to prevent fraud and better inform the consumer;
The norms concerning the documents required to accompany the wines during transportation from the producer to the consumer;
The sanctions applied in case of violation of the law and of the production norms.

56. These are the criteria, the rules, the instruments, the methods and the prescriptions that form the basement of the certified quality and uniqueness of the Italian wines under Denomination of Origin and Typical Geographic Indication.

57. We can therefore affirm that there is no other beverage or food in the world whose production processes and whose intrinsic quality are so rigorously controlled and regulated as much as the wine amid, especially, the Italian wines.

58. This is the reason why we try our best in order to see the efforts made by Italian producers to always achieve a better quality recognised and rewarded by the consumers all over the world.

59. Luckily I can say that the lovers and friends of the Italian wines and of the Italian cuisine are growing in number in the world.

60. I hope that this meeting of ours could have contributed to enhance the reciprocal knowledge and friendship, as a base for the development of every possible form of co-operation.

61. Thank you again for your attention: I am available now to answer to your questions.

[End of document]