

Protected Geographical Indication for Basmati

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In news

Recently, India has applied to the European Union for protected geographical indication (PGI) status of basmati rice.

Fight between India & Pakistan over GI for Basmati rice

- India has applied for protected geographical indication (PGI) status from the European Union's Council on Quality Schemes for Agricultural Products and Foodstuffs
- This would give it sole ownership of the basmati title in the EU.
- Pakistan, which is the only other basmati rice exporter in the world, has opposed this move as it would adversely impact its own exports, especially as the EU is a major market for its basmati
- Pakistan is fighting a case in the 27-member European Union against India's move to get Basmati rice registered as its product.

India's attempt to protect the basmati

- India's attempts to protect the basmati title can be traced all the way back to a bitter dispute between the Indian government and the US company RiceTec in the late '90s.
- The latter had sought a patent for certain rice varieties that it had bred from basmati strains, with names like Kasmati, Texmati and Jasmati.
- Though the patent was granted in 1997, the US narrowed the patent to only three variants produced by RiceTec in 2001.

Need for the protection of Basmati title

Basmati is an export-oriented product, fetches in the international market, there have been frequent disputes over granting the protected status to rice that may have been bred from basmati varieties and has the same qualities, but isn't grown in the historical basmati-growing belt.

In India, for example, the Madhya Pradesh government has been lobbying the central government for its basmati rice varieties to be granted the GI status, even taking the matter to the Supreme Court.

However, the All India Rice Exporters' Association (AIREA) is opposed to this, on the basis that it compromises basmati's integrity.

The Agricultural and Processed Food Products Export Development Authority (APEDA) itself had stated that GI status is strongly linked to a particular geographical region and, based on this, AIREA has argued that granting MP's request would open the door to other regions within India as well as rival rice exporters like China and Pakistan to grow basmati varieties anywhere in their territories, thus diluting the power of the basmati brand.

GI tag for Pakistan's Basmati rice

In January 2021 Pakistan as received the Geographical Indicator (GI) tag for its Basmati, paving the way for creating a local registry for the particular strain of rice and making a case in the international market

Cultivation & export of Basmati rice

- In India, historically, the long-grained, aromatic rice has been cultivated in Indo-Gangetic plains at the foothills of the Himalayas.
- In modern India, this region is spread over Himachal

Pradesh, Punjab, Haryana, Uttarakhand, Uttar Pradesh, Delhi and Jammu and Kashmir.

- Basmati has also been grown for centuries in the Kalar tract, which lies between the Ravi and Chenab rivers in Pakistan's Punjab province
- India is also the world's largest exporter of basmati rice.

What is a geographical indication?

- A geographical indication (GI) is a sign **used on products that have a specific geographical origin and possess qualities** or a reputation that are due to that origin. In order to function as a GI, a sign must identify a product as originating in a given place.
- In addition, the qualities, characteristics or reputation of the product should be essentially due to the place of origin.
- Since the qualities depend on the geographical place of production, there is a clear link between the product and its original place of production.
- A geographical indication right enables those who have the right to use the indication to prevent its use by a third party whose product does not conform to the applicable standards.

How are geographical indications protected?

There are three main ways to protect a geographical indication:

1. so-called sui generis systems (i.e. special regimes of protection).
2. using collective or certification marks; and
3. methods focusing on business practices, including administrative product approval schemes.

Extra

Reading:

<https://journalsofindia.com/geographical-indication-gi/>