

Kerala Geographical Indication Products: A Glimpse

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Abstract

Geographical Indication is a devise of Intellectual property, which is used to protect certain products which are located in specific geographical area. GI tag indicates that the goods are produced from a particular area and the product has certain unique characteristics or special features which is attributable to its place of origin. Such tagging confers the right to use the popular product name only to the authorized registered users or to those residing inside the specific geographical area. Geographical Indication offers several benefits to both producers and the consumers. It also has great potential in the socio-economic upliftment of the producers and in protecting the local tradition and culture. The state of Kerala which is known for its diverse flora and fauna is considered to be a treasure trove of unique agricultural products. As of March 2018, Kerala has received GI tags for twenty four of its products which include twelve agricultural and twelve handicraft products and many more of its products are awaiting for GI tag. The aim of the present paper is to provide an overview of the concept of Geographical Indication, the benefits it offers to the producers and the consumers and to examine the laws relating to GIs in India. The present paper also intends to highlight the present status of the GI product registration in the state of Kerala.

KEYWORDS: Geographical Indication, Agricultural GI products, Handicrafts GI, Kerala

INTRODUCTION

Geographical Indication is one of the Trade-Related Intellectual Property Rights of the World Trade Organization, which is associated with agricultural, natural and industrial products. “A Geographical Indication identifies a good as originating in a delimited territory or region where a noted quality, reputation or other characteristic of the good is essentially attributable to its geographical origin and/or the human or natural factors there” (ITC, 2009). It helps to identify a product’s originating place, its quality, reputation and other characteristics of the goods with its geographical origin. GIs are collective rights enjoyed by the concerned producer communities in a particular region.

GIs acts as one of the solution to key socio-economic issues relating to protecting traditional and indigenous knowledge, niche market creation, market access, potential income effect and rural development .The unethical practice of selling fake goods in the name of reputed goods harms both the real producers and consumers. Eventually, the original producers lose their market and consumers end up paying inflated prices for fake goods. Consumers usually take purchase decision without considering market information regarding the prices and quality of the goods (Nelson, 1970). But they prefer origin-guaranteed products which builds a reputation and a fetch a premium price to GI Products.

Geographical Indications offer high value-added and differentiated products to the public. It can be used for agricultural as well as non agricultural products which are

attributed to specific kind of human capital or specific region or production process. Quality signals of the GI products decreases the search costs of the consumer and also provide the opportunity to consume high quality products. Their willingness to purchase these kinds of products with higher prices is greater than other standard products (Teuber, 2009).

On the producer side, they can differentiate their goods from competitors in the market which helps to establish their reputation. The GIs protection provides stable income flow for the producers and encouraging them to carry on their production with the standardized quality. GIs are mostly related to the developed rural areas, which increase the economic activity of the region and provide more employment opportunities. These developments prevent the migration of unemployed people from rural areas to urban areas.

Literature Review

Suh & Macpherson (2007) analyzed the regional impacts of GI by taking 'Boseong green tea' (South Korea) as a case study. The study was conducted among 18 producers of Boseong green tea and local government officials. The product was granted the geographical indication tag in the year 2002. The data analysis revealed that there has been an increase in the price of the product by more than 90% and the quantity produced has almost doubled within a period of six years. Geographical Indication of Boseong green tea has increased the awareness level of Boseong region among the general public and as a result there has been an increase in the number of tourist's footfalls. Thus the study found that GI had a positive impact in enhancing the image of the product, production and marketing of the green tea as well as in reviving the regional economy by stimulating the tea-related industries and local tourism.

Jena, P. R. (2010) examined the impact of GI on the welfare of the households in the state of Uttarakhand, India. The study was conducted among 300 rice farmers consisting of GI basmati rice farmers and Non-GI rice farmers. For the purpose of the study, the GI basmati rice farmers were taken as the treatment group and the Non-GI rice farmers as the control group. The empirical study found that the cultivation of GI basmati rice was more profitable than the Non-GI rice varieties. A further econometric analysis revealed that there has been an increment of income to the households from GI rice cultivation. It was concluded that GI adoption can be used as a tool in enhancing the welfare of the households.

Albayrak, M. (2012) discussed about the role of GI in branding of Turkish handcraft products. In Turkey, out of the 129 GI registered products in 2010, 39 (30%) of them were handcraft products. One of the key attribute in getting Geographical Indication is to have a standardized and quality production process. GI registration ensures that the product has a guaranteed quality and it helps in gaining a better image for the products in the global market. Such an image will further help in developing and establishing global brands.

Rose (2011) analyzed the economic benefits to the producers of Palakkadan matta rice after getting the GI. The study found that there has been an increase in the income of GI farmers when compared to the non-GI farmers after getting the GI registration. The area under GI rice cultivation has also increased after getting the GI. The study further found that the awareness about GI registration was high among the producers but it was found to be very low among the consumers. Consumers mostly

preferred to buy the rice because of its taste and nutritional quality. It was concluded that the impact of GI registration was only marginal on GI rice growers.

Dhamotharan & Selvaraj (2013) investigated the consumer preference and their willingness to pay for GI registered bananas in Dindigul district of Tamil Nadu, India. The study revealed that majority of the consumers preferred to buy the GI bananas for its medicinal value followed by perishability and taste. Consumers were very much concerned about its quality and hence the product standards must be maintained for better price realization.

Pavithran (2014) examined the attitude of pokkali rice farmers towards the GI protection system. The study grouped the attitude of the producers under three constructs namely marketing factors, sustainability factors and intermediary factors. From the analysis of the data, the first factor namely marketing factor revealed that producers want an organized market to increase their standard of living and to prevent the entry of duplicates into the market. The second factor namely sustainability factor showed that the producers are not interested in promoting the business and are not willing to train their children since they are not able to meet their livelihood with this business. Finally the intermediary factor revealed that the role of intermediaries is significantly affecting the producers. A major share of profits goes into the hands of the intermediaries. Hence the supply chain is to be strengthened to get maximum benefits to the producers as well.

Aggarwal & Prashar (2014) discussed about the challenges faced by Indian GI products in establishing global brands and in claiming premium value for the products. The authors observed that except a few GI products (Darjeeling Tea & Basmati rice), most of the Indian GI products are unknown to the people around the world. Almost 90% of them are agricultural and handicraft products and are produced by small and marginal producers who do not have the ability and knowledge in utilizing the potential of GI in the right way. Hence they are unable to market their products in the global market place. Poor awareness among consumers about the GI products, increased competition, entry of duplicate products etc are some of the challenges faced by GI products in the global scenario.

Objectives of the Study

1. To undertake a review of literature with regard to the concept of GI and identifying successful initiatives that has reaped the benefits of GI tagging at national and international level
2. To examine the laws and agreements relating to the GI Products in India
3. To examine the current status of GI Products in the state of Kerala

Laws and Agreements on GI

There are a number of international level Convention/Agreements on Geographical Indications such as Paris Convention 1883, Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods (1891), Lisbon Agreement of WIPO (1958), WTO TRIPS Agreement TRIPS (Articles 21, 22, 23, 24 and 66), 2015 Geneva Act of the Lisbon Agreement etc. The need for legal protection of GIs is to prevent the unauthorized use of GIs to products which are detrimental to consumers and legal producers. This protection not only benefits consumers and producers but also render the product a unique name.

The protection of GIs at national level is provided by trademark laws, laws against unfair competition, consumer protection laws and special laws designed for GI.

The Geographical Indications of Goods (Registration and Protection) Act, 1999 passed by Indian Parliament in December 1999 and the Geographical Indications of Goods (Registration and Protection) Rules were published in 2002. All provisions of the said Act came into force on 15th September 2003. Any agricultural, natural or manufactured goods or any goods of handicraft or of industry including foodstuffs can be protected under the Act. The controller General of Patents, Designs and Trademarks is the Registrar of GIs.

Geographical Indications Registry is located at Chennai. A record called Register of GIs is kept at GI Registry. This register has two parts – Part A and Part B. Part A contains the particulars relating to registered geographical indications and Part B contains the particulars relating to registered authorized users. ‘The Geographical Indications of Goods (Registration and Protection) Act (GI Act) was enacted in 2003 in India with the following objectives -

1. To protect the interest of producers of GI goods
2. To protect consumers from deception
3. To promote goods bearing GI in the export market.

GI products: Kerala scenario

The Government of India has established the 'Geographical Indications Registry' with all-India jurisdiction at Chennai, where the GIs can be registered. Aranmula kannadi was the first GI product from Kerala. Till March 2018 twenty four products (both agricultural and handicraft) from Kerala have been registered under the Act and many more are in the pipeline. In the list twelve are handicrafts products and remaining are agricultural products. Agricultural and handicraft products registration are higher in 2008 and 2010 and the number of registration reduced thereafter.

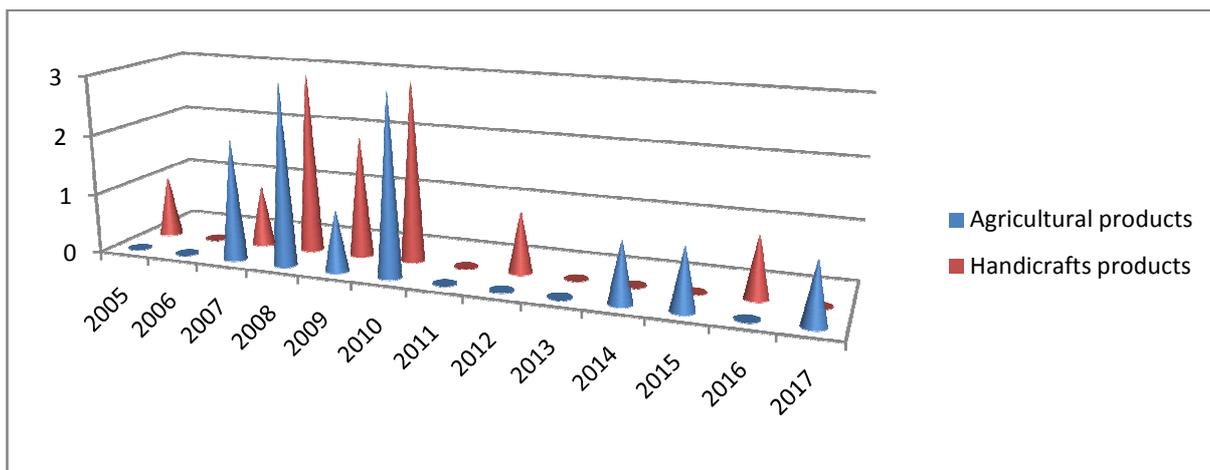
Table 1: Kerala GI products

SL.No	Geographical Indication	Year	Product Type
1	Aranmula Kannadi	2005	Handicraft
2	Alleppey Coir	2007	Handicraft
3	Navara Rice	2007	Agricultural
4	Palakkadan Matta Rice	2007	Agricultural
5	Malabar Pepper	2007	Agricultural
6	Alleppey Green Cardamom	2008	Agricultural
7	Maddalam of Palakkad	2008	Handicraft
8	Screw Pine Craft of Kerala	2008	Handicraft
9	Brass Broidered Coconut Shell Crafts of Kerala	2008	Handicraft
10	Pokkali Rice	2008	Agricultural
11	Vazhakulam Pineapple	2009	Agricultural
12	Cannanore Home Furnishings	2009	Handicraft
13	Balaramapuram Sarees and Fine Cotton Fabrics	2009	Handicraft
14	Kasaragod Sarees	2010	Handicraft
15	Kuthampully Sarees	2010	Handicraft
16	Central Travancore Jaggery	2010	Agricultural
17	Wayanad Jeerakasala Rice	2010	Agricultural
18	Wayanad Gandhakasala Rice	2010	Agricultural
19	Payyannur Pavithra Ring	2010	Handicraft

20	Chendamangalam Dhoties & Set Mundu	2012	Handicraft
21	Kaipad Rice	2014	Agricultural
22	Chengalikodan Nendran Banana	2015	Agricultural
23	Kuthampally Dhoties & Set Mundu	2016	Handicrafts
24	Nilambur Teak	2017	Agricultural

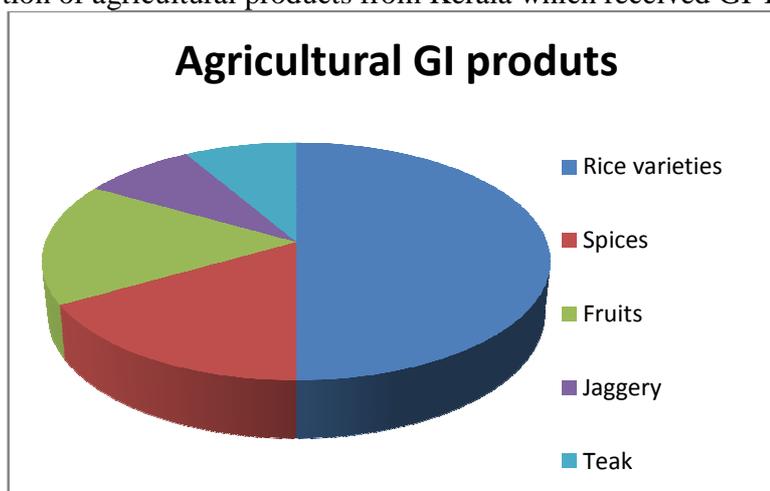
Source: GI Registry, Chennai

The following chart shows the number of GI products registration from Kerala during the period of 2005 to 2018.



Agricultural GI products

In the adoption of new concepts, like geographical indications, local GI producers gain more benefit from their agricultural products, than the other producers (Moran 1993). Kerala is considered to be a treasure trove of unique agricultural products. It may also be noted from Table 1 that out of 24 registered GIs, 12 (i.e. around 50%) are agricultural products. Navara rice is the first agricultural product which got GI from Kerala (2007) and Nilambur teak is the recent addition to the list. The following chart shows proportion of agricultural products from Kerala which received GI Tags.



It is to be noted that within the agricultural product registration, nearly fifty percent is occupied by rice varieties like Navara rice, palakkadan matta, Pokkali rice, Wayanad jeerakashala rice, Wayanad Gandakashala rice and Kaipad rice. The cultivation of these rice varieties involves unique system of organic farming. Chemical fertilizers and plant protection chemicals are not applied to these crops and traditional knowledge are used for the production. Navara rice is one of the indigenous medicinal rice varieties of Kerala, used for digestive, rheumatic and circulatory complaints. Palakkadan matta is a variety of rice having bold grain, red pericarp and rich with nutrients. Wayanad gandakashala rice and Wayanad jeerakashala rice are valued for their pleasant flavor and aroma. Pokkali varieties have the ability to overcome the effect of stagnant water and tidal water and salinity.

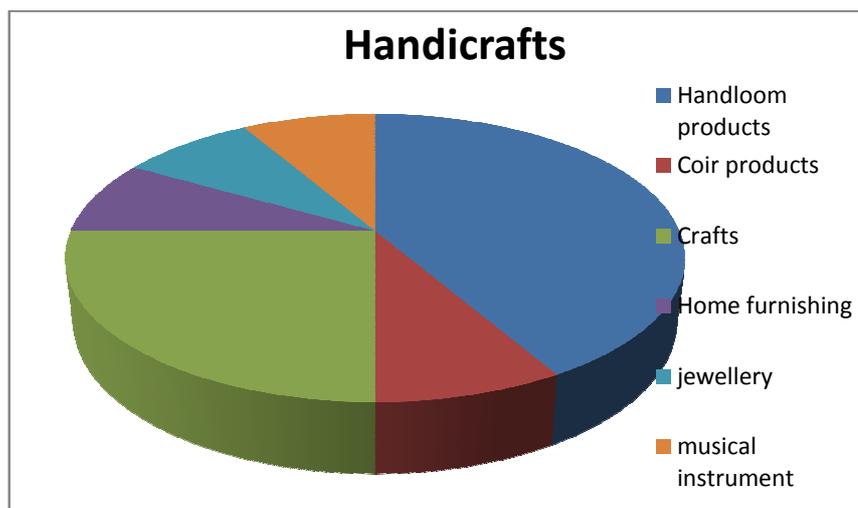
In 2008 Alleppey green cardamom and Malabar pepper got GI tag. The Alleppey green cardamom is unique in its colour, chemical constituent, size and oil content. It is the dried capsule of *Elettaria cardamom* and has a reasonable shade of green colour. The production of geographical area of Malabar pepper comprises of majority of the district of Kerala. It classified under two grades- garbled (black coloured, globular with wrinkled surface) and un-garbled (colour varies from brown to black).

The Vazhakkulam pineapple comes under the species of *Ananas comosus* with average weight of 1300 to 1600 grams. The fruit is having golden yellow flesh, sweet juice, pleasant aroma and delicious taste. It is a good source of vitamins, carotene, minerals and energy. Changantholam nendra banana is famous for its unique taste, shape and colour, which is cultivated in different villages in Thrissur districts. Vazhakkulam pineapple got GI tag (2009) earlier than Changantholam nendra banana (2015).

Central Travancore jaggery is mainly produced in Manimala, Pampa, Achencoil, and Meenachil regions in Kerala. It is produced from pure cane juice having sweet taste without salty taste. The uniqueness of this jaggery is its appealing colour, crystalline texture, and rationing efficiency (3 to 5 years). The first forest produce which got GI status is Nilambur teak (2017). It is famous for its durability, large size, distinctive colour and resistance to fungal decay.

Handicraft GI Products

The handicraft industry is a major source of income for rural communities in Kerala. It plays an important role in the economic development of these communities. It is one of the major revenue generators for Kerala industries and is one of the key contributors to export revenue. Craft persons need protection for their traditional product from unfair imitations of other manufacturers. GI category of intellectual property law provide protection for traditional handicrafts. GI registration helps the craftsmen to establish the distinct image in the market over the other range of products. This law of GI is in place to benefit and protect these craft persons while simultaneously benefiting the consumers. It may also be clear from Table 1 that out of 24 registered GIs, half percent belong to handicraft products. The following chart shows proportion of handicrafts products from Kerala which receive GI tags.



In the handicraft product registration, a major share is occupied by handloom products like Balaramapuram sarees, Kasargode sarees, Kuthampully sarees, Chendhamangalam dhoties and set mundu, Kuthampally dhoties and set mundu. The Kerala handloom products are famous for their vibrant colour, intricate design and delicate texture. Majority of GI handloom products are made by some weaving centers, which has its own signature features.

Aranmula kannadi is the first product which got GI from Kerala (2005). It is crafted purely from metals. The exact composition of alloy of copper, silver, tin and some secret ingredients is only known by few families in Aranmula. The coir products like coir mats, coir beds and coir carpet from Alappuzha got GI protection from 2007. Screw pine craft of Kerala has been granted GI registration with effect from 30th November 2015. The screw pine leaves used by artisans to weave the Door mats, Prayer mats, wall hangings, Bed mats etc...Finer varieties of these mats are also used as sleeping beds.

The artisans of Brass brodered coconut shell crafts of Kerala use great skill for making flower vases, cups, nut bowls, snuff box and spoons using coconut shells. They have been granted registration in Part A falling in class -20 under subsection (1) of section 13 of GI Act 1999 with effect from November 2015. The hall mark of Cannanore home furnishing is their great functional and aesthetic value. The registration gives a boost to home furnishing export from Kannur. Maddalam of Palakkad, a divine instrument used in kathakali and panjchavadyam got GI Tag in 2008. "Payyanur pavithra mothiram" has ritualistic values because it is a kind of gold ring worn by Keralites while performing poojas for the dead ancestors got GI tag in 2010. Kerala is a treasure house of unique goods in agriculture and handicraft sector and a co-ordinated effort will help in the registration of more products.

CONCLUSION

Kerala has great potential in GI tagging agricultural and handicraft products. Till date, it has received GI tags for 24 of its products which include 12 agricultural and 12 handicraft products. As mentioned earlier, GIs are collective rights enjoyed by the concerned producer communities in a particular region. But unfortunately except for a few Indian GI products like Darjeeling Tea and Basmati rice, most of the other products especially in Kerala are not known to others in the global market place. Still there exist several challenges in exploiting various socio-economic benefits offered by GI tagging.

Most of the GI products are produced by small and marginal producers who do not have the ability and knowledge in utilizing the potential of GI in the right way. In the case of Vazhakkulam pineapple, it got GI in 2009 and even though it's export showed an increasing trend after getting GI and the product could fetch a premium price in the international market, it was found that majority of the benefits are going to the hands of intermediaries and exporters (Vyshak, 2017). Similarly, Marayur jaggery another unique product of Kerala which has almost completed the process of GI registration is feeling the heat from fake varieties from Tamil Nadu. Sadly, these cheap and adulterated varieties are sold in the market as Marayur jaggery and it has affected its brand value. There is a need for a strong institutional mechanism with suitable structures to protect and promote the GI products. The supply chain is to be strengthened to avoid exploitation by the middlemen. Steps must be taken to build awareness among the consumers both in the national and international market. Furthermore, in addition to product marketing, GIs can be effectively used in place marketing as is proved in the case of Boseong Green Tea, South Korea. After Boseong green tea got its GI, the number of tourists visiting the Boseong region in South Korea also increased. GI products and its place of origin can be effectively used in increasing tourist's footfalls to Kerala and in reviving the rural economy by stimulating these product manufacturing and local tourism.

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