



SINER-GI project

Montpellier Plenary meeting

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Case presentations:

Rooibos

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SOUTH AFRICA & GI

- It started with Champagne, Port & Sherry



TO THE BARICADES!!

- “Rooibos” Trademark – USA in 1994
 - Forever Young – SA Company
 - Cede rights to Burke Intl. – US Company
- Rooibos Ltd filed cancellation proceedings
- Burke Intl. “generous”
 - SA Companies could pay royalties
 - Burke less than 1 ton
- Since settled out of court
 - Considerable help from “Coffee houses”
 - R6 Million (€700 000)



ALL IS QUIT ON THE FRONT (FOR THE MOMENT)

- We can lose our heritage!!
 - Awareness of potential danger
 - Serious quest for solutions
 - Not even South Africans can be trusted!!
- Establishment of the “Rooibos Council”
 - Not perfect, but it is a start
 - Trust??

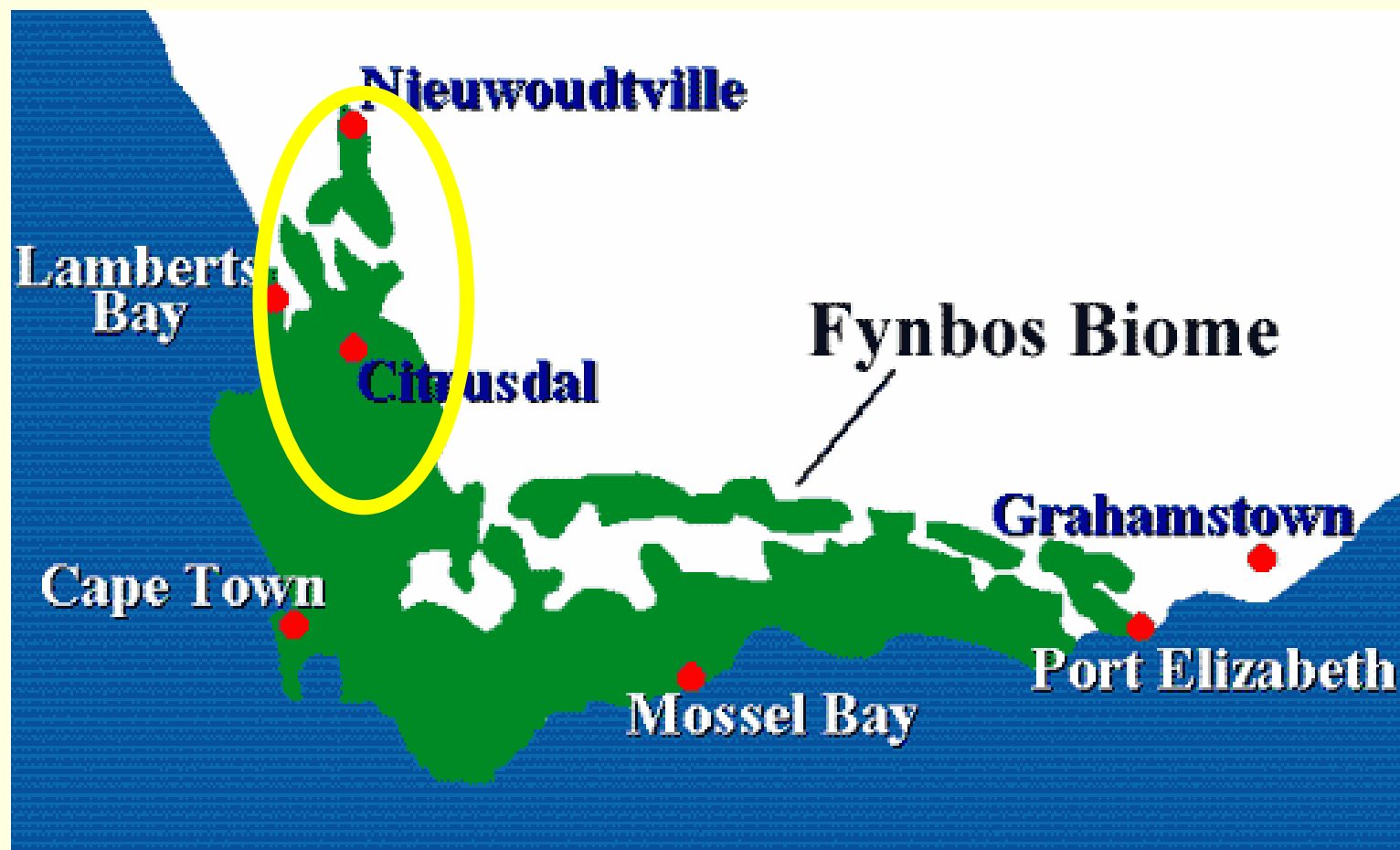


THE PRODUCT

- Rooibos is indigenous plant
- Part of the “Fynbos” & Cape floral kingdom
 - 9 087 plant species
 - Of which 6 218 is endemic
 - 1 300 species/10 000 km²
 - Brazilian rainforest = 420
- Products used by the San & first settlers
 - Traditional knowledge embedded in the product
 - “Dual” South African Heritage



THE AREA



THE PLANT



CULTIVATION



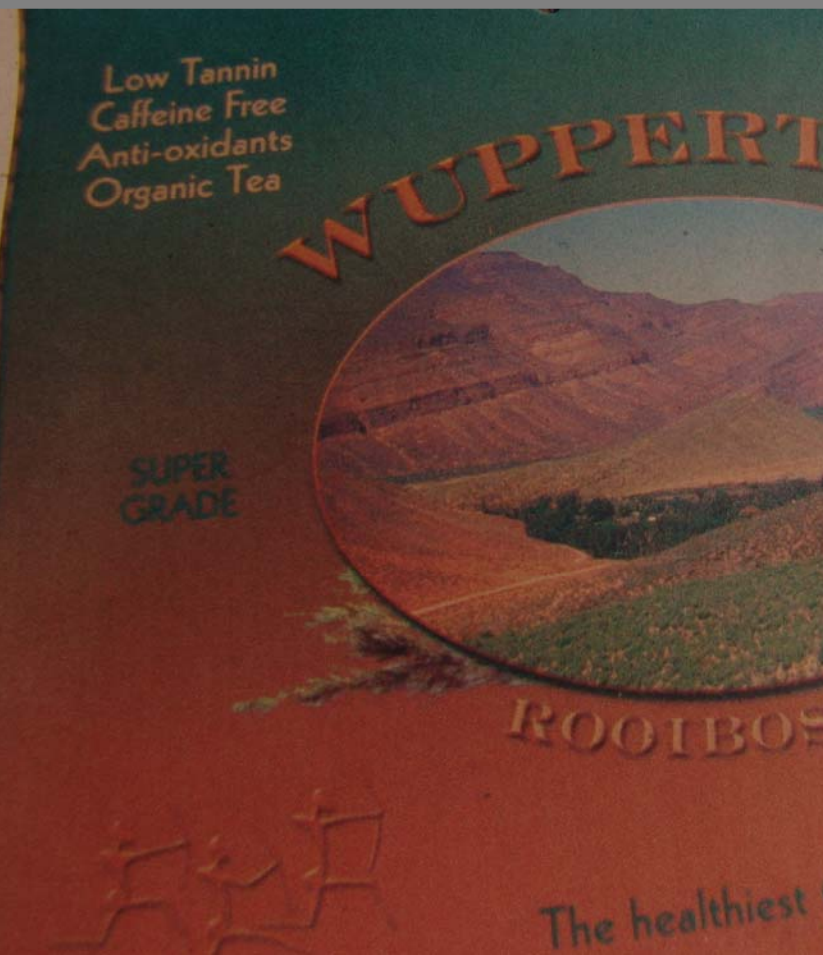
HARVESTING



THE TEACOURT



THE PRODUCT



THE PEOPLE



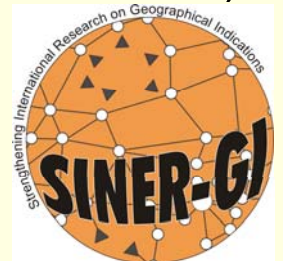
THE PEOPLE

- 350 Farmers
 - Commercial (98%)
 - Resource poor – co-operatives (2%)
 - Main income source
 - Heiveld
 - Wupperthal
 - 40 odd independants
- Production
 - 10 400 t



THE MARKET

- 8 Large processors
 - Rooibos Ltd – 75% market share
 - But,
 - €1,9/kg (Rooibos Ltd)
 - €3,0 (Wupperthal)
- Markets
 - Domestic 4000 t
 - Export 6 400 t
 - Europe
 - Recognised as South African product
 - Boom in the export market
 - Health attributes
 - Niche-market segmentation (fair trade, organic, wild harvest)
 - Not only tea



ISSUES

- IP associated with “Rooibos”
 - Trademarks
 - Regional quality aspects
 - GI as Rural development opportunity
- Substitutes / blends & denaturation
- Empowerment
 - Land Reform
- Trust & representativity
 - Heterogeneity
- Production standards
- Tourism
- Potential production in a different country?



ISSUES: SA LEGAL SYSTEM

- Only piecemeal laws
 - Minimum protection under TRIPS
 - Fragmented
 - Liquor Products Act 60 of 1989
 - Trade Marks Act 194 of 1993 (GI as collective mark or certification mark)
 - Consumer protection & unfair competition laws
- No GI registered nationally
 - Except wines
- Movement to consider specific institutional GI System
 - Research
 - Policy
 - Linked



INTEREST FOR SINER-GI

- No GI in South Africa
 - Rooibos has the history and “momentum”
 - Link between research and policy processes
- Equity in Agriculture
 - Heterogeneity between stakeholders
 - Resource not adequately shared
 - AgriBEE
 - Wider social responsibility
 - Fair Trade as social dynamic & GI link
- Territorial dynamics
 - Quality
 - Tourism routes
- Niche market segmentation
- Biodiversity
 - Wild harvesting
 - New cultivation areas



QU



SION

