

### **3. Kashmir Saffron gets GI Tag**

**Prelims Syllabus:** Agriculture, Ignorance, Subsidy, Marketing

**Mains Syllabus:** GS-III Awareness in the fields of IT, Space, Computers, Robotics, Nano-technology, Bio-Technology and Issues Relating to Intellectual Property Rights.

#### **Why in News?**

- Kashmir saffron, which is cultivated and harvested in the Karewa (highlands) of Jammu and Kashmir, has been given the Geographical Indication (GI) tag by the Geographical Indications Registry.



#### **About Kashmir Saffron:**

- Kashmir saffron is a very precious and costly product renowned globally as a spice.
- It rejuvenates health and is used in cosmetics and for medicinal purposes. It has been associated with traditional Kashmiri cuisine and represents the rich cultural heritage of the region.
- The unique characteristics of Kashmir saffron are its longer and thicker stigmas, natural deep-red colour, high aroma, bitter flavour, chemical-free processing, and high quantity of crocin (colouring strength), safranal (flavour) and picrocrocin (bitterness).
- Iran is the largest producer of saffron and India is a close competitor. With the GI tag, Kashmir saffron would gain more prominence in the export market.
- It is the only saffron in the world grown at an altitude of 1,600 m to 1,800 m AMSL (above mean sea level), which adds to its uniqueness and differentiates it from other saffron varieties available the world over.

#### **What is GI Tag?**

- A GI or Geographical Indication is a name or a sign given to certain products that relate to a specific geographical location or origins like a region, town or country.
- Using Geographical Indications may be regarded as a certification that the particular product is produced as per traditional methods, has certain specific qualities, or has a particular reputation because of its geographical origin.
- Geographical indications are typically used for wine and spirit drinks, foodstuffs, agricultural products, handicrafts, and industrial products.

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- GI Tag ensures that none other than those registered as authorized users are allowed to use the popular product name. In order to function as a GI, a sign must identify a product as originating in a given place.

### **Who accords and regulates Geographical Indications?**

- Geographical Indications are covered as a component of intellectual property rights (IPRs) under the Paris Convention for the Protection of Industrial Property.
- At the International level, GI is governed by the World Trade Organisation's (WTO's) Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS).
- In India, Geographical Indications registration is administered by the Geographical Indications of Goods (Registration and Protection) Act, 1999 which came into force with effect from September 2003.
- The first product in India to be accorded with GI tag was Darjeeling tea in the year 2004-05.

### **What are the Benefits of GI Tags?**

- **The Geographical Indication registration confers the following benefits:**
  - ✓ Legal protection to the products
  - ✓ Prevents un-authorised use of GI tag products by others
  - ✓ It helps Consumers to get quality products of desired traits and is assured of authenticity.
  - ✓ Promotes the economic prosperity of producers of GI tag goods by enhancing their demand in national and international markets.

### **What are the Significances of GI Tags?**

- A geographical indication right facilitates those who have the right to use the indication to prohibit its usage by a third party whose product does not conform to the applicable standards.
- For example, in the purview in which the Darjeeling geographical indication is protected, producers of Darjeeling tea can omit the term "Darjeeling" for tea not grown in their tea gardens or not produced according to the norms set out in the code of practice for the geographical indication.
- However, a protected GI does not permit the holder to forbid someone from making a product using the same approaches as those set out in the standards for that indication. Protection for a GI tag is usually procured by acquiring a right over the sign that constitutes the Indication.

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### **Challenges in GI Tags:**

- The special treatment to wines and spirits in TRIPS Agreement appears to be developed country centric.
- Developing countries, including India, seek the same higher level of protection for all GIs as was given under TRIPS for wines and spirits.
- The battle for GI tag between states.
- False use of geographical indications by unauthorized parties is detrimental to consumers and legitimate producers.
- Cheap Power loom saris are sold as reputed Banarsi handloom saris, harming both the producers and consumers.
- Such unfair business practices result in loss of revenue for the genuine right-holders of the GI and also misleads consumers.
- Protection of GI has, over the years, emerged as one of the most contentious IPR issues.

### **Way Forward:**

- The benefits of GI tag are realised only when these products are effectively marketed and protected against illegal copying.
- Effective marketing and protection require quality assurance, brand creation, post-sale consumer feedback and support, prosecuting unauthorised copiers, etc.
- For internationally Recognised products like Darjeeling tea, International Protection is of crucial importance.
- Legal protection to GIs also extends to protection of Traditional Knowledge and Traditional cultural expression contained in the products.
- Hence Intellectual Property is a Power Tool for economic development and wealth creation particularly in the Developing World.
- GIs have the potential to be our growth engine. Policy-makers must pay a heed to this and give Indian GI Products their True Reward.