

**Decree
of the President of Georgia
N 88 February 28, 2002 Tbilisi**

**Regarding Measures Related to the Entry into Force of the Law of Georgia “On
Appellations of Origin of Goods and Geographical Indications”**

With respect to the entry into force of the Law of Georgia "On Appellations of Origin of Goods and Geographical Indications", adopted on June 22, 1999, and in accordance with Article 17 of this law:

1. The annexed regulations "On Identification, Registration, Use and Control of Appellations of Origin of Wines and Wine Brandies" and "On identification, Registration, Use and Control of Appellations of Origin of Natural Mineral and Spring Waters" shall be approved.

2. In accordance with the Law of Georgia "On Appellations of Origin of Goods and Geographical Indications", prior to the registration of appellations of origin of wines, wine brandies and natural mineral and spring waters:

a) The annexed list of appellations of origin of wines, wine brandies and natural mineral and spring waters produced in Georgia, the annexed provisional boundaries of respective specific viticultural zones and the list of standard varieties of grapes zoned in these areas for wines and wine brandies of appellations of origin, and provisional boundaries of respective deposits for natural mineral and spring waters (annexes 1, 2 and 3) shall be approved;

b) The use of the appellations indicated in the list shall be allowed only with the consent of the Ministry of Agriculture of Georgia except where the right to the use of these appellations has been acquired through other way provided by the law.

c) The use of the appellations indicated in the list without registration in the case of appellations of origin of wines and wine brandies shall be allowed before January 1, 2007, and in the case of appellations of origin of natural mineral and spring waters - before January 1, 2005.

2¹. The Ministry of Agriculture of Georgia shall ensure approval of the Rule of Study and Identification of Data Specified by the Legislation, Required for Registration of an Appellation of Origin and/or Geographical Indication for Foodstuffs (except for Wines and Wine Brandies, Natural Mineral and Spring Waters) and for Registration of a Person Entitled to Use a Registered Appellation of Origin and/or Geographical Indication of Foodstuffs (except for Wines and Wine Brandies, Natural Mineral and Spring Waters) and of Issue of a Relevant Conclusion.

3. The Ministry of Agriculture of Georgia:

a) Together with the Scientific-Research Institute of Horticulture, Viticulture and Wine-making shall organise work for the verification of boundaries of specific viticultural zones of appellations of origin of wines and wine brandies approved in Paragraph 2;

b) Before June 1, 2002, shall ensure working out and approval of Rules for the study and identification of the data defined by Article 7(4) (e, f, h) of the Law of Georgia "On Appellations of Origin of Goods and Geographical Indications", as well as for carrying out state control of wines, wine brandies and natural mineral and spring waters;

c) Before June 1, 2002, taking into account international experience, shall study and prepare proposals concerning non-budgetary sources of financing the development of the identification and control system of appellations of origin of wines, wine brandies and natural mineral and spring waters .

4. The Ministry of Foreign Affairs of Georgia (I. Menagharishvili) together with the National Intellectual Property Centre "Sakpatenti", in order to ensure protection of appellations of origin approved by this Decree on the basis of relevant international agreements, shall hold negotiations with the member countries of the Commonwealth of Independent States and the World Trade Organisation.

5. The Ministry of Foreign Affairs of Georgia, the Ministry of Agriculture Georgia and the Legal Entity of Public Law - National Intellectual Property Centre of Georgia "Sakpatenti" before December 1, 2002, shall study and

prepare proposals regarding assistance and participation of international organisations in the formation and development of the system of protection of appellations of origin of goods and geographical indications in Georgia. 6. The Legal Entity of Public Law - National Intellectual Property Centre of Georgia "Sakpatenti" shall work out and approve the representation, details and rule of use of a sign certifying the right of use of registered appellations of origin and geographical indications.

Eduard Shevardnadze

REGULATIONS ON IDENTIFICATION, REGISTRATION, USE AND CONTROL OF APPELLATIONS OF ORIGIN OF WINES AND WINE BRANDIES

These regulations are prepared in accordance with the Law of Georgia "On Appellations of Origin of Goods and Geographical Indications" and define the rules of identification, registration, use and control of appellations of origin of wines.

ARTICLE 1. APPELLATIONS OF ORIGIN OF WINES AND WINE BRANDIES

An appellation of origin of wine or wine brandy is the modern or historical name of a geographical place used for designation of wine or wine brandy:

- a) originating from this geographical place;
- b) the specific quality and features of which are essentially or exclusively due to the environment of this geographical place and particular qualities of the variety of grapes revealed under these conditions as well as special technology;
- c) for which production and processing of grapes take place within the boundaries of this geographical place.

ARTICLE 2. PROTECTION OF APPELLATIONS OF ORIGIN OF WINES AND WINE BRANDIES

1. The protection of an appellation of origin of wine and wine brandy shall be carried out by way of its registration at "Sakpatenti" or an inter-state agreement.
2. An appellation of origin of wine and wine brandy protected in Georgia on the basis of an inter-state agreement shall be registered at "Sakpatenti".

ARTICLE 3. REGISTRATION OF APPELLATIONS OF ORIGIN OF WINES AND WINE BRANDIES

1. An appellation of origin of wine and wine brandy shall be registered by "Sakpatenti" on the basis of an application of an applicant.
2. An application may be filed by any natural person or legal entity or any association (union) of entrepreneurs, regardless of its organisational-legal form (hereinafter-the applicant).
3. The application shall be drawn up in the Georgian language and shall apply to one appellation of origin.
4. The application shall include the following data:
 - a) a request for registration of an appellation of origin;
 - b) the full name and address of the applicant;
 - c) the appellation of origin (name of the specific viticultural zone);
 - d) the description of the soil and climatic characteristics of a specific viticultural zone and its boundaries;

- e) the general description of wine or wine brandy and relevant raw material;
 - f) the description of the wine or wine brandy production technology and the specific production conditions and methods characteristic of the relevant geographical place;
 - g) the signature of the applicant or his/her representative.
5. The data defined by Paragraph 4(d-f) of this Article shall be confirmed by the Ministry of Agriculture of Georgia.
6. The following shall be attached to the application:
- a) a document confirming the payment of the fee prescribed by legislation;
 - b) a power of attorney issued by the applicant in the name of his/her representative, if the application is filed by the representative.
7. For the registration of an appellation of origin of wine and wine brandy "Sakpatenti":
- a) shall carry out examination as to form, check whether the data provided by Paragraph 4 of this Article are presented;
 - b) shall provide search in databases of trademarks, appellations of origin and geographical indications in order to reveal identical or similar names;
 - c) shall publish information on the application materials in the Official Bulletin of Industrial Property of Georgia (hereinafter-the Bulletin), in one central and one local newspaper for the purpose of consideration of public opinion.
8. If within three months after the publication of application materials additional information is presented to "Sakpatenti", the given information shall be sent for a conclusion to the Ministry of Agriculture of Georgia.
9. If within three months after the publication of application materials no additional information is presented to "Sakpatenti", it shall take the decision on the registration of the appellation of origin of wine and wine brandy and enter the relevant data into the State Register of Appellations of Origin of Goods and Geographical Indications (hereinafter-the Register).
10. After the registration of the appellation of origin of the wine and wine brandy "Sakpatenti" shall publish the registration data in the Bulletin.

ARTICLE 4. USE OF REGISTERED APPELLATIONS OF ORIGIN OF WINES AND WINE BRANDIES

1. An application for the use of a registered appellation of origin of wine and wine brandy shall be filed with "Sakpatenti".
2. An application may be filed by any natural person or legal entity producing the top-quality wine or wine brandy of the appellation of origin.
3. An application shall apply to one appellation of origin of wine or wine brandy.
4. An application shall include following documents:
- a) a request for the registration of a person entitled to the use of the registered appellation of origin of wine or wine brandy;
 - b) the full name and address of the applicant;
 - c) the consent of the Ministry of Agriculture to the use of the appellation of origin for the wine or wine brandy bottled in the given year;
 - d) a document confirming the payment of the fee prescribed by legislation;
 - e) a power of attorney issued by the applicant in the name of his/her representative, if the application is filed by the representative.
5. Within 5 days "Sakpatenti" shall take the decision on the registration of the person entitled to the use of the registered appellation of origin of wine or wine brandy and enter the relevant data into the Register.
6. "Sakpatenti" shall publish the data on the person entitled to the use of the registered appellation of origin of wine or wine brandy in the Bulletin.

ARTICLE 5. CONTROL OF THE USE OF REGISTERED APPELLATIONS OF ORIGIN OF WINE AND WINE BRANDY

1. State control of the use of a registered appellation of origin of wine or wine brandy shall be carried out by the Ministry of Agriculture of Georgia.
2. State control of the use of the registered appellation of origin of wine or wine brandy shall be carried out on the basis of a notification of a natural person or legal entity, linked to the intention of the person or entity to produce the wine or wine brandy of the appellation of origin.
3. State control shall be carried out at all stages of production of wine or wine brandy of the appellations of origin. It shall be established as a result of the control whether the technological process of production, processing of grapes, making and bottling of wine and wine brandy as well as the quality and characteristics of wine and wine brandy comply with the prescribed requirements.
4. State control shall apply to:
 - a) the place of production of grapes and wine;
 - b) the variety of grapes;
 - c) the technology of production of grapes;
 - d) the maximum yield of grapes per hectare, its quality and minimum content of sugar;
 - e) the output of wine per ton of grapes;
 - f) the technological process of production of wine and wine brandy;
 - g) the minimum content of alcohol of wine and wine brandy;
 - h) the correspondence of physico-chemical, microbiological and organoleptical characteristics with the features defined by legislation for appellations of origin of wines and wine brandies.
5. State control of usage of registered appellations of origin of wines or wine brandies shall be carried out according to the rule approved by the Ministry of Agriculture of Georgia.

REGULATIONS ON IDENTIFICATION, REGISTRATION, USE AND CONTROL OF APPELLATIONS OF ORIGIN OF NATURAL MINERAL AND SPRING WATERS

These regulations are prepared in accordance with the Law of Georgia “On Appellations of Origin of Goods and Geographical Indications” and define the rules of identification, registration, use and control of appellations of origin of natural mineral and spring waters.

ARTICLE 1. APPELLATIONS OF ORIGIN OF NATURAL MINERAL AND SPRING WATERS

An appellation of origin of natural mineral and spring water is the modern or historical name of a geographical place used for designation of natural mineral or spring water:

- a) originating within this geographical place;
- b) the specific quality and features of which are essentially or exclusively due to the environment of this geographical place and the water production technology;
- c) extraction and commodity production of which take place within the boundaries of this geographical place.

ARTICLE 2. PROTECTION OF APPELLATIONS OF ORIGIN OF NATURAL MINERAL AND SPRING WATERS

1. The basis for the protection of an appellation of origin of natural mineral and spring water shall be its registration at "Sakpatenti" or an inter-state agreement.
2. Appellations of origin of natural mineral and spring water protected in Georgia on the basis of an inter-state agreement shall be registered at "Sakpatenti".

ARTICLE 3. REGISTRATION OF APPELLATIONS OF ORIGIN OF NATURAL MINERAL AND SPRING WATERS

1. An appellation of origin of natural mineral and spring water shall be registered by "Sakpatenti" on the basis of an application of an applicant.
2. The application may be filed by any natural person or legal entity or any association (union) of entrepreneurs, regardless of its organisational-legal form (hereinafter- the applicant).
3. The application shall be drawn up in the Georgian language and shall apply to one natural mineral or spring water of the appellation of origin.
4. The application shall include the following data:
 - a) a request for registration of an appellation of origin;
 - b) the full name and address of the applicant;
 - c) the appellation of origin;
 - d) the exact boundaries of sanitary zones of the natural mineral or spring water deposits and the location of the enterprise;
 - e) the description of the natural mineral or spring water with the indication of its physical, chemical and organoleptical characteristics;
 - f) the signature of the applicant or his/her representative.
5. The data defined by Paragraph 4 (d, e) of this Article shall be confirmed by the Ministry of Agriculture of Georgia.
6. The following shall be attached to the application:
 - a) a certificate confirming the payment of the fee prescribed by legislation;
 - b) a power of attorney issued by the applicant in the name of his/her representative, if the application is filed by the representative.
7. For the registration of the appellation of origin of natural mineral or spring water "Sakpatenti":
 - a) shall carry out examination as to form, check whether the data provided by Paragraph 4 of this Article are presented;
 - b) shall provide search in databases of trademarks, appellations of origin and geographical indications in order to reveal identical or similar names;
 - c) shall publish information on the application materials in the Official Bulletin of Industrial Property of Georgia (hereinafter-the Bulletin), in one central and one local newspaper for the purpose of consideration of public opinion.
8. If within three months after the publication of application materials additional information is presented to "Sakpatenti", the given information shall be sent to the Ministry of Agriculture of Georgia.
9. If within three months after the publication of application materials no additional information is presented at "Sakpatenti", it shall take the decision of the registration of the appellation of origin of the natural mineral or spring water and enter the relevant data into the State Register of Appellations of Origin Goods and Geographical Indications.
10. After the registration of the appellation of origin of natural mineral or spring water "Sakpatenti" shall publish the registration data in the Bulletin.

ARTICLE 4. USE OF REGISTERED APPELLATIONS OF ORIGIN OF NATURAL MINERAL OR SPRING WATERS

1. An application for the acquisition of the right to the use of a registered appellation of origin of natural mineral or spring water shall be filed with "Sakpatenti".
2. An application may be filed by any natural person or legal entity producing the natural mineral or spring water of the appellation of origin and satisfying the requirements provided by the Law of Georgia "On Water".
3. An application shall be drawn up in the Georgian language and apply to one natural mineral or spring water of the appellation of origin.
4. An application shall include the following data:
 - a) a request for the registration of a person entitled to the use of the registered appellation of origin of natural mineral or spring water;
 - b) the full name and address of the applicant;
 - c) the consent of the Interagency Advisory Council on Licensing Commodity Production of Water, functioning at the Ministry of Agriculture of Georgia, to the use of the appellation of origin of natural mineral or spring water;
 - d) licenses to the use and for commodity production of minerals;
 - e) a certificate confirming the payment of the fee prescribed by legislation;
 - f) a power of attorney issued by the applicant in the name of his/her representative, if the application is filed by the representative.
5. Within 5 days "Sakpatenti" shall take the decision of the registration of the person entitled to the use of the registered appellation of origin of natural mineral or spring water and enters the relevant data in the Register.
6. "Sakpatenti" shall publish the data on the person entitled to the use of the registered appellation of origin of the natural mineral or spring water in the Bulletin.

ARTICLE 5. CONTROL OF THE USE OF REGISTERED APPELLATIONS OF ORIGIN OF NATURAL MINERAL OR SPRING WATERS

1. State control shall be instituted over the use of registered appellations of origin of natural mineral or spring waters.
2. The control to ensure the correspondence with the data recorded in the "Sakpatenti" Register of Appellations of Origin of Mineral Waters shall be carried out by the Ministry of Agriculture of Georgia,
3. It shall be established as a result of the control whether the technological process of extraction and production of the natural mineral and spring waters as well as the physico-chemical characteristics of the natural mineral and spring waters corresponds with the data registered at "Sakpatenti".
4. If as a result of the control incompatibility with the data recorded in the "Sakpatenti" Register is revealed, the Ministry of Agriculture of Georgia shall raise the question of invalidation of the registration of the person entitled to the use of the given appellation of origin. State control of the use of the registered appellations of origin of natural mineral and spring waters shall be conducted according to the rule approved by the Ministry of Agriculture of Georgia.

Approved by Decree N 88
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of the President of Georgia
Annex N1

List of Appellations of Origin of Wines

1. "Tsinandali"
2. "Teliani"
3. "Napareuli"
4. "Vazisubani"
5. "Mukuzani"
6. "Akhasheni"
7. "Gurjaani"
8. "Kardenakhi"
9. "Tibaani"
10. "Kindzmarauli"
11. "Manavi"
12. "Khvanchkara"
13. "Tvishi"
14. "Kvareli"
15. "Atenuri"
16. "Sviri"
17. "Kotekhi"
18. "Kakheti" ("Kakhuri")

Provisional Boundaries of Specific Viticultural Zones for Wines of Appellations of Origin

Specific Zone Name	Specific Zone Boundaries	Zoned Varieties of Grapes
1	2	3
"Tsinandali"	Administrative boundaries of villages in Telavi district: Tsinandali, Kisiskhevi, Kondoli, Kvemo Khodasheni and Akura	Rkatsiteli, Rkatsiteli-clone N48, Kakhuri Mtsvane-clone N12, Saperavi, Saperavi Budeshuri like, Saperavi-clone N359, Cabernet Sauvignon, Khikhvi
"Teliani"	-on the North-East – of Telavi: -the Alazani River; -on the South-West - village Tsinandali; on the South-East - Khodasheni ravine; on the North-West -Nasamkhrali ravine	Rkatsiteli, Rkatsiteli-clone N48, Kakhuri Mtsvane-clone N12, Saperavi, Saperavi Budeshuri like, Saperavi-clone N359, Cabernet Sauvignon, Khikhvi

"Napareuli"	Administrative boundaries of villages of Telavi district: Napareuli and Saniore	Rkatsiteli, Rkatsiteli-clone N48, Kakhuri Mtsvane-clone N12, Saperavi, Saperavi Budeshuri like, Saperavi-clone N359, Cabernet Sauvignon, Khikhvi
"Vazisubani"	Administrative boundaries of villages of Gurjaani district: Vazisubani, Shashiani, Kalauri and Vachnadziani	Rkatsiteli, Rkatsiteli-clone N48, Kakhuri Mtsvane-clone N12, Saperavi, Saperavi Budeshuri like, Saperavi-clone N359, Cabernet Sauvignon
"Mukuzani"	Administrative boundaries of villages of Gurjaani district: Mukuzani and Velistsikhe	Rkatsiteli, Rkatsiteli-clone N48, Kakhuri Mtsvane-clone N12, Saperavi, Saperavi Budeshuri like, Saperavi-clone N359, Cabernet Sauvignon
"Akhasheni"	Administrative boundaries of village Akhasheni of Gurjaani district	Rkatsiteli, Rkatsiteli-clone N48, Kakhuri Mtsvane-clone N12, Saperavi, Saperavi Budeshuri like, Saperavi-clone N359, Cabernet Sauvignon
"Gurjaani"	Administrative boundaries: -of town of Gurjaani, villages: -Gurjaani, Chumlaki, Chandari, Vejini of Gurjaani district	Rkatsiteli, Rkatsiteli-clone N48, Kakhuri Mtsvane-clone N12, Saperavi, Saperavi Budeshuri like, Saperavi-clone N359, Cabernet Sauvignon, Khikhvi
"Kardenakhi"	Administrative boundaries of village Kardenakhi of Gurjaani district	Rkatsiteli, Rkatsiteli-clone N48, Kakhuri Mtsvane-clone N12, Saperavi, Saperavi Budeshuri like, Saperavi-clone N359, Cabernet Sauvignon, Khikhvi
"Tibaani"	Administrative boundaries of village Tibaani of Signagi district	Rkatsiteli, Rkatsiteli-clone N48, Kakhuri Mtsvane-clone N12, Saperavi, Saperavi Budeshuri like, Saperavi-clone N359, Cabernet Sauvignon, Khikhvi
"Kindzmarauli"	Administrative boundaries of Kvareli district	Rkatsiteli, Rkatsiteli-clone N48, Kakhuri Mtsvane-clone N12, Saperavi, Saperavi Budeshuri like, Saperavi-clone N359, Cabernet Sauvignon, Khikhvi
"Manavi"	Administrative boundaries of villages of Sagarejo district:	Rkatsiteli, Rkatsiteli-clone N48, Kakhuri Mtsvane-clone N12,

	Manavi, Tokhliauri, Chailuri and Kakabeti	Saperavi, Saperavi Budeshuri like, Saperavi-clone N359
"Khvanchkara"	Administrative boundaries of villages of Ambrolauri district: Khvanchkara, Chrebalo, Tchkvishi, Ghadishi, Bugeuli, Sadmeli, Khidikari, Tsesi.	Aleksandrouli, Mujuretuli, Tsulukidzis Tetra, Tsolikouri
"Tvishi"	Administrative boundaries of village Tvishi of Tsageri district	Tsolikouri
"Kakheti"	Inner Kakheti-the Alazani River basin; Outer Kakheti-Sagarejo district; -part of Gardabani district	Rkatsiteli, Rkatsiteli-clone N48, Kisi, Kakhuri Mtsvane, Kakhuri Mtsvane-clone N12, Khikhvi, Saperavi, Saperavi Budeshuri like, Saperavi-clone N359, Cabernet Sauvignon, Tavkveri, Pinot black, Muscaturi Rkatsiteli, Aligote, Chinuri
"Kvareli"	Administrative boundaries of Kvareli district	Rkatsiteli, Rkatsiteli-clone N48, Kakhuri Mtsvane-clone N12, Saperavi, Saperavi Budeshuri like, Saperavi-clone N359, Cabernet Sauvignon, Khikhvi
"Atenuri"	Administrative boundaries of village Atenuri of Gori district	Rkatsiteli, Rkatsiteli-clone N48, Kakhuri Mtsvane-clone N12, Saperavi, Saperavi Budeshuri like, Saperavi-clone N359, Cabernet Sauvignon, Khikhvi
"Sviri"	Administrative boundaries of villages of Zestaphoni district: Sviri I, Sviri II and Rodinauli	Tsolikouri, Tsitska, Krakhuna, Otskhanuri Sapere, Goruli Mtsvane, Dzelshavi, Kapistoni white, Aladasturi, Chardonnay
"Kotekhi"	Administrative boundaries of town of Gurjaani	Rkatsiteli, Rkatsiteli-clone N48, Kakhuri Mtsvane-clone N12, Saperavi, Saperavi Budeshuri like, Saperavi-clone N359, Cabernet Sauvignon, Khikhvi

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List of Appellations of Origin of Wine Brandies

1. "Eniseli"
2. "Gremi"
3. "Vartsikhe"

Provisional Boundaries of Specific Viticultural Zones for Wine Brandies of Appellations of Origin

Specific Zone Name	Specific Zone Boundaries	Zoned Varieties of Grapes
"Eniseli"	Administrative boundaries of villages of Kvareli district: Eniseli, Sabue and Shilda	Rkatsiteli, Rkatsiteli-clone N48, Kakhuri Mtsvane-clone N12
"Gremi"	Administrative boundaries of village Gremi of Kvareli district	Rkatsiteli, Rkatsiteli-clone N48, Kakhuri Mtsvane-clone N12
"Vartsikhe"	Administrative boundaries of village Vartsikhe of Baghdati district	Tsitska, Tsoikouri

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Annex N3

List of Appellations of Origin of Natural Mineral and Spring Waters (06.11.2002 N470)

1. "Borjomi"
2. "Sairme"
3. "Nabeghlavi"
4. "Mitarbi"

5. "Zvare"
6. "Utsera"
7. "Skuri"
8. "Lugela"
9. "Bolnisi"
10. "Dzau"
11. "Bagiati"
12. "Avadhara"
13. "Daba"
14. "Orkhvi"
15. "Abuketa"
16. "Khotevi"

Provisional Boundaries of Deposits of Natural Mineral and Spring Waters of Appellations of Origin

N	Natural Mineral and Spring Water Deposit Name	Geographical location and provisional boundaries of the deposit
1	"Borjomi"	Administrative boundaries of town Borjomi; Villages: Kvibisi, Vashlovani and Likani of Borjomi district
2	"Sairme"	Administrative boundaries of resort Sairme and Udabno of Baghdati district
3	"Nabeghlavi"	Administrative boundaries of village Nabeghlavi of Chokhatauri district
4	"Mitarbi"	Administrative boundaries of village Mitarbi of Borjomi district
5	"Zvare"	Administrative boundaries of village Zvare of the Kharagauli district
6	"Utsera"	Administrative boundaries of village Utsera of Oni district
7	"Skuri"	Administrative boundaries of village Skuri of Tsalenjikha district
8	"Lugela"	Administrative boundaries of village Mukhuri of Chkhorotku district
9	"Bolnisi"	Administrative boundaries of Rachisubani of the Bolnisi district
10	"Dzau"	Administrative boundaries of settlement Java

11	"Bagiati"	Administrative boundaries of settlement Java
12	"Avadhara"	Administrative boundaries of resort Avadhara
13	"Daba"	Administrative boundary of village Daba of Borjomi district
14	"Orkhvi"	Administrative boundary of village Orkhvi of Tsageri district
15	"Abuketa"	Administrative boundary of the village of Abuketa of Keda district
16	"Khotevi"	Administrative boundary of village Khotevi of Ambrolauri district