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Do historical production practices and culinary heritages really matter? Food with protected geographical indications in Japan and Austria

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ABSTRACT

Background: Geographical indications (GIs) are collective intellectual property rights that protect food and other products uniquely linked to the production area, local geophysical conditions, and traditions, namely, with the terroir. Thus, GIs can contribute to the transmission and retention of culinary heritages and historical production practices.

Methods: Based on an analysis of application documents, we compare the historical linkages of all the Japanese and Austrian GI products. Although more than half of the Japanese applications refer to historical roots in the 20th century, the median of the Austrian GI linkages is in the 17th century. To closely examine these GI linkages, and to better understand their relevance to current cultivation practices, we compared three Japanese cases with roots of diverging depth to the first Austrian GI regarding motivations, geographical and historical linkages, and current cultivation practices and governance.

Results: The comparison found that all four products refer to the historical roots of the product name, the product varieties, or cultivation techniques. However, deeper roots did not automatically translate into higher priorities of protecting these historical linkages. The four in-depth case studies found that historic provenance and traditional production methods, although prominently highlighted in the official GI documents of all four GIs, were eclipsed by commercial motivations for GI protection and/or current production practices. In the cases analyzed, we found some potential mismatches between GI historical claims in registration documents and actual GI cultivation and GI management practices.

Conclusions: We conclude that our four GI cases do not represent “museums of production” or overly fixed perceptions of history. However, the collective action of the producer group has resulted in dynamic local cultivation practices without restricting innovation. The GI status has rather resulted in the protection of local farmers’ collective action and old varieties than in the protection of old production methods.

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1. Introduction

1.1. Historically rooted food products with geographical indications

Traditional, typical foods are embedded in their production areas, whose ecological and cultural properties combine to produce

unique tastes and flavors [1,2]. The place of production represents an amalgam of its unique ecological properties (e.g., landscape, climate, and local breeds), local collective resources (e.g., knowledge and traditions), and historic and cultural stock generated by succeeding historic and cultural occurrences, which creates the uniqueness of a place [3–5]. This place-based social construction of an evolving human–nature relationship is well known as “terroir”. Bérard and Marchenay [6] stressed the historical dimension of terroir by stating that the inscription of localized products in a place “is related to their historical roots and the collective practices that produce them.”

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However, the term “terroir” also socially constructs the authenticity of a product that depicts and valorizes elements of the rural past by asserting a future vision for food production [2,7].

European and other Old World countries, such as Japan, protect geographical names of food products that embody unique qualities and characteristics historically rooted in the place of production [8]. These geographical indications (GIs) are “indications which identify a good as originating in the territory ..., where a given quality, reputation or other characteristic of the good is essentially attributed to its geographic origin” [9]. Despite this international definition, negotiation of transatlantic and transpacific trade agreements shows the contested nature of the historical linkages of food with local production traditions. The United States, Canada, Australia, and other New World countries reject calls for stronger or international protections of GIs, arguing that the quality of most products could be replicated almost anywhere because of modern technologies and expertise. The food-quality narrative based on place, history, and local production, and gastronomic food cultures is reframed as protectionist intervention in globalized food markets or as the creation of monopoly rights and monopoly prices for European Union (EU) GIs [10]. For example, consumers in the United States would not be able to choose between different brands of Parmesan cheese (generic name), and they would be restricted to the Consortium's Parmigiano-Reggiano (protected denomination of origin).

The history of GIs, which is driven by Southern European countries, began with the Paris Convention in 1883 that identified GIs as a separate type of intellectual property rights. Countries, such as Austria and Japan, have only recently adopted the GI system as an agricultural policy strategy to navigate their often small farms through an increasingly productivist, globalized food system. The GI system in Austria dates to 1995 when it joined the EU. The registration of Japanese GIs began in 2015. The European GI system differentiates between the stricter Protected Designations of Origin (PDO; product is produced, processed, and prepared exclusively in the delimited area) and the Protected Geographical Indications (at least 1 step of production, processing, or preparation occurs in the region). This distinction does not exist in Japan.

The scientific and public food relocation and GI debate revolve around the loss of food and landscape diversity due to standardization and global trade, less favored areas, and integrated rural development. GIs are expected to provide farmers with access to extra-local consumers' willingness to pay more for place-based, traditional products, which supports local sustainable development [11]. However, scholars advise taking a critical stance toward the so-called historicization of food and overly static notions of culture. They stress that communities could become too strongly bound by GI regulations that subsequently fix and institutionalize particular cultural forms and heritage [1]. The overelaboration of particular local histories could result in a paradox in which the goal of protecting local knowledge and food diversity leads to a decrease in cultural expression. Exclusionary notions of certain cultural markers pose the risk of privileging particular cultural expressions of cultural heritage over others and could impede a relatively more dynamic evolution of heritage and historic perceptions [1]. Insufficient innovation could result in lock-ins, and the so-called Disneyization of food cultures could create living “museums of production” [1] for visitors from the city [2,12]. By positioning traditional products in a global market, their industrialization and commodification could trigger the loss of the traditional quality that was protected in the first place. Powerful internal and external actors could capture the added value of the commodified food products so that the legal protection would not necessarily protect the local farmers and manufacturers [1,3]. Furthermore, we must recognize that concepts, such as quality, terroir, traditional, typical,

and authentic food are socially constructed and could be used to privilege certain actors and modes of development [3].

Several scholars have explored the theoretical associations among GIs, terroir, history, and the culture of a place of production [2,6]. However, there is little empirical evidence on the role of the historical roots of GIs in countries with comparably short GI histories. There are some initial empirical insights into the lengths of historical roots and their relevance for the motivations of GI applications [13] or into the tension between protecting cultivation practices and innovation [1].

This paper is organized as follows. After an overview of the methods in Section 2, Section 3 briefly presents the GI framework in Austria and Japan and an overview of the historical linkages included in the narratives of the official application documents. Section 4 presents the results of the comparative case study analysis, which is discussed in Section 5.

2. Materials and methods

We compared GIs in Austria and Japan, which began implementing national GI legislation in 1995 and 2015, respectively, and, thus, compared with France or Italy, there are no longstanding histories of GI protection. The comparative document analysis uses the official documents of all Japanese and Austrian GIs registered by the end of January 2017. Regarding the Austrian GIs, we analyze the so-called single documents and product specifications (published on the Database of Origin and Registration or elsewhere). For the Japanese GIs, we analyzed official Japanese GI documents provided by the Ministry of Agriculture, Forestry, and Fisheries [14]. The documents describe the linkages between the products and their production areas, the rules of production and processing, and the final product characteristics.

For the in-depth comparative case study, we selected the *Yoshikawa Nasu* (*Yoshikawa* eggplant), *Noto-Shika Korogaki* (*Noto-Shika* persimmon), and *Kaga Maruimo* (*Kaga Maru* potato) in Japan, and the *Wachauer Marille* (*Wachau* apricot) in Austria. The three Japanese products are cultivated and produced in the same prefecture and are comparable in terms of their cultural and environmental aspects. They reflect the diversity of Japanese GIs in terms of history and motivation for registration. The Austrian apricot case was selected because it was the first Austrian GI registered (in 1996), and it is the only one that has successfully applied for an amendment to the product specification. Therefore, we consider this case as particularly insightful for scrutinizing the tensions between conserving cultural heritage and development and between protection of the cultural patrimony and innovation.

In the case of the *Yoshikawa* eggplant, we conducted interviews with two key actors of the Department of Agriculture and Forestry Policy in Sabae City. In the *Noto-Shika Korogaki* case, we relied on information from two expert interviews with key actors of the Shika Agricultural Cooperative, and, regarding the *Kaga Maru* potato, we used data from an expert interview with members of the South Kaga area *Maruimo* Producer Association. In the *Wachau* apricot case, we conducted two expert interviews: one with the chair of the *Verein Wachauer Marille g.U.* (Association *Wachau* Apricot PDO) and one with the pomiculture representative of the chamber of agriculture of Lower Austria. We also relied on data from previous studies on cultural landscape and land-use changes in the *Wachau* [15–19]. Furthermore, participatory observations in the local committee of the world heritage site (*Working Group Wachau*), during the apricot cultivation blooming and harvest seasons and informal interviews with local stakeholders (e.g., major, apricot jam producer, farmers, and gastronomes of the area) provided insights for this study. The empirical data were supplemented by archival work.

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