

The Dutch Governor, Jan van Riebeeck settled in South Africa in 1652 and planted the first vines of French origin in 1655 in the Cape Town area. His successor was Simon van der Stel, a well-travelled man with exposure to wine growing in Europe.

What is seen today as the first geographical indication in South Africa, came about when Van der Stel established the Groot Constantia wine farm in 1685 where wines so produced were selected by people such as Napoleon of France, Frederick of Prussia and Bismarck of Germany. Incidentally, my home town in South Africa is Stellenbosch, named after Simon van

der Stel who, after his retirement, decided to remain permanently in South Africa.

A few years later French Huguenots arrived in the Cape and imported into South Africa French skills and traditions in wine making, settling in the town of Franschhoek and introducing French family names.

The South African wine environment was rapidly expanding

- geographically inland far beyond Constantia valley**
- through the inclusion of European names and descriptions.**

The skills of the Dutch and the French were employed to select the best wine growing areas, based on soil, climate and location, and so gave birth to what is seen today as the intellectual property of South Africa. For the sake of completeness, one should mention that South Africa was occupied by the British from time-to-time (a century from 1806 onwards) and separate from other achievements, they promoted exports from their colony and introduced certain quality control measures i.e. the birth of South African product legislation.

Protection :

South Africa was one of the very first new world countries to recognize geographical indications. As early as the 1930's South Africa entered into an agreement (the Crayfish agreement) with France in terms of which inter alia South Africa agreed to protect certain appellations of origin and adopted legislation whereby South Africa was no longer authorised to use certain expressions and words such as champagne for sparkling wine or refer to red wines as Burgundies.

The Crayfish agreement was eventually overtaken by

the provisions of TRIPS. South Africa became a signatory of TRIPS by virtue of its accession to The Marrakesh Protocol in 1994. It was especially Art 24(6) which had provoked most discussions in South Africa, i.e. the definition of what a customary term is with special reference to port and sherry.

South African liquor legislation also focus on stringent requirements, e.g.

- The Liquor Products Act sets out the requirements for each liquor product and prohibits the use of false**

or misleading descriptions for liquor products, specifically prohibiting the unauthorised use of wine of origin expressions.

- The Wine of Origin Scheme is charged with the defining and demarcation of areas of production and specifies indications which must and may not be used on labels.**

The Wine and Spirits Board has a final approval of wine labels and will in this manner prohibit improper references to geographical indications, e.g. if not accurate, not approved or not complying with TRIPS.

The South African Wine of Origin system developed out of a need to protect both producer and consumer against abuse of geographical indications and deception of the public (origin, varietal, vintage), but always respectful of the existing trade mark rights of others.

Sources: Valuable contributions from the archives libraries at KWV and Distell

Region

e.g. Coastal

District

e.g. Cape Point
Stellenbosch

Ward

e.g. Constantia
Simonsberg

Estate

e.g. De Zoete Inval
Durbanville
Goudveld
Morgenhof
L'Ormarins



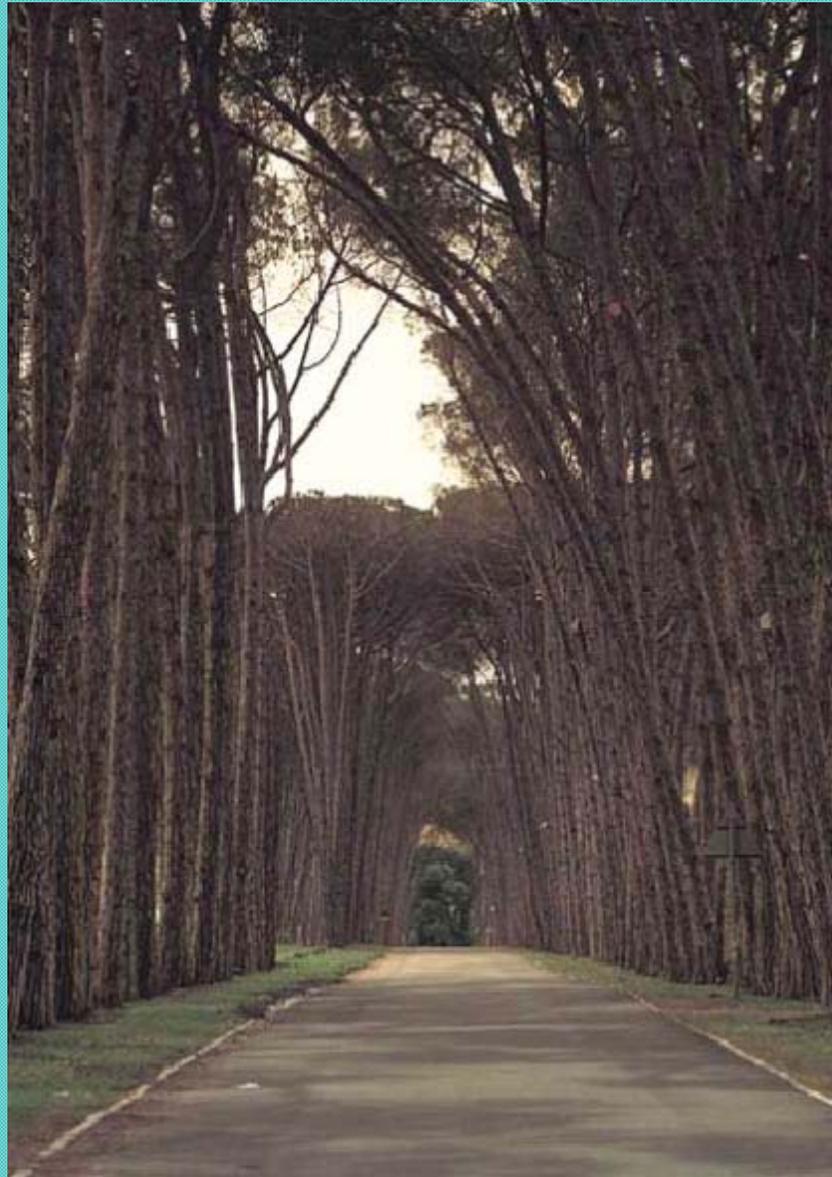
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Stellenbosch



Durbanville Hills



Neethlingshof pine trees



Neethlingshof



Oude Libertas



Tukulu



Plaisir de Merle