



## Australia-European Union Free Trade Agreement

# What is 'grandfathering'?

Grandfathering means no change for existing users of a term. Existing Australian producers (called 'prior users') can continue to use a 'grandfathered' EU geographical indication (GI) term on their labels under the Australia-European Union Free Trade Agreement (A-EU FTA).

Australia has agreed to protect 11 of the EU GIs with this grandfathering flexibility.



## What terms are 'grandfathered' under the A-EU FTA?

Australian producers can continue to label their products with the following terms, provided they can prove that they have done so in good faith and in a continuous manner for at least five years prior to the entry into force of the A-EU FTA:

Bavarian	Feta
Finocchiona	Grain jenever
Grappa	Gruyère
Bologna	Munich
Nurnberger Bratwürste / Nuremberg	Romano (wholesale)
Tiroler	



Australian Government

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[dfat.gov.au/aeufta](https://dfat.gov.au/aeufta)

### **What do ‘prior users’ and used ‘in a continuous manner’ mean?**

It means producers who can prove that they have produced the product in good faith for at least five years prior to entry into force of the A-EU FTA.

This includes producers who can demonstrate that they have invested in producing the product, for example by purchasing machinery such as a still to produce a spirit.

It can also include producers whose production may have been impacted in that five-year period by an event beyond their control. For example, it can include producers whose production may have been impacted by a natural disaster such as a fire or flood in that five-year period.

The ability to continue to use a product name or term will pass with a business when it is sold or passed to a successor.

### **Australia will provide a list of eligible prior users to the EU**

The list will be voluntary but will assist in identifying Australian producers who meet the conditions to keep using a grandfathered term.

Prior users who are eligible for grandfathering, but are not on the list provided to the EU, can continue to use that term but may be asked to prove their eligibility.

