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Multifunctional Territorialized Agri-Food Systems, Geographical Quality Marks and Agricultural Landscapes: The Case of Vineyards

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Abstract: In contrast to the industrial agricultural systems aimed at producing unlabeled origin foods without unique characteristics, Multifunctional and Territorialized Agri-food Systems (MTAS) claim their identity in productions whose singularity comes from specific environmental conditions and distinctive knowhow—factors often linked to tradition. Their systemic complexity goes beyond the agri-food production function (high quality, sustainable, and differentiated by origin) because the territories gain cohesion and viability from the positive effects resulting therefrom: environmental quality—in the context of sustainable agriculture based on practices that respect the environment and the local productive vocation of the territories—, landscape value, greater economic diversification by stimulating integrated production chains, tourism potential, etc. In this context, the MTAS finds in the geographical indication one of the most expressive quality reference formulas for the identification of agri-food products. This paper delves into the regulatory nature of the main territorial indications (PDO, PGI) and explores their configuration and regulatory evolution, particularly focusing on the wine geographical indications—the first and most common ones. The Spanish indications are taken as the object of analysis, whose operational maturity reveals their solidity, but also their inadequacies, with the demand for adjustments for greater flexibility in the regulatory framework that identifies them as collective marks. Along the same lines, emphasis is placed on the recent advance of individualistic PDO figures, which call into question the very collective basis of the territorial trademark. These conceptual adaptations of geographical indications provide future lines of research necessary to interpret the coherence of these figures with the sustainable development of the territories, whose name they adopt to gain distinction and market competition.

Keywords: multifunctional and territorialized agri-food systems (MTAS); geographical certification label; protected designation of origin (PDO); protected geographical indication (PGI); vineyard; wine



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1. Introduction

In the framework of the Spanish project Multifunctional and Territorialized Agri-food Systems (MTAS or SAMUTER, in Spanish acronym) we speak of hybrid agri-food systems, which consider the productive tradition of the place from a contemporary perspective, combining multifunctionality, governance, and sustainable practices as the basis for territorial development [1]. From the epistemological perspective, MTAS is inscribed among the alternative agri-food systems to the hegemonic ones, characterized by large-scale, globalized, and highly financialized food production [2,3]. This concept is linked to schools of thought concerned with the study of “causal interrelationships between territory and local food production systems, among which we find the Anglo-Saxon schools of Agri-food Geography called *Alternative Agro-food Networks*, Agroecology approaches and the schools, of French-Mediterranean origin, on *Systèmes Agro-alimentaires Localisés* (SIAL)” [4] and those referring to nature-based solutions (NBS), all of them at the forefront of the sustainability discourse [5]. Likewise, it is aligned with the “territorialist” currents that run through the

social disciplines revolving around the culture of a place and that have placed the focus on the territory “as a common good in terms of its historical, cultural, social, environmental, productive identity... and the landscape as its sensitive manifestation” [6]. In this sense, and from the perspective of the SAMUTER project, the idea of territoriality emphasizes the double dimension of the territorial concept: as a space of political–administrative action and as the result of a process of social construction expressed in a singular landscape [7]. Multifunctionality is another defining feature, as these systems are considered to play a key role in the sustainable development of the rural environment, not only producing food but also contributing to the enhancement of the environmental and landscape externalities associated with it [8–10].

On these bases, MTAS is well aligned with some of the goals (SDG) of the 2030 Agenda of Sustainable Development and cover the four essential dimensions of their theoretical and conceptual framework. Firstly, the idea of proximity, understood not only in terms of proximity between producers and consumers, with the subsequent shortening of the food chain, but also in terms of a close relationship with the ecosystemic values of the areas in which they are located (Goal 15, especially 15.9). This is closely linked to the second of these dimensions—sustainability. Systems committed to healthy production based on environmentally friendly practices that contribute to mitigating the effects of climate change and conserving biodiversity (Goal Two/target 2.4), all this without neglecting their economic and social commitment to family farming, local products, and alternative marketing channels, as stated in Goal Eight (targets 8.3, 8.4). The assorted forms of participatory governance, as a third defining dimension, are associated with a collective organization, where local actors (agents, companies, and institutions) sharing common values coordinate and collaborate in the processes of adopting innovations and in the enhancement of “traditional knowhow.” Ensuring sustainable consumption and production patterns is a main objective (Goal 12). Finally, territorial anchoring is blatantly present in the features of differentiation and uniqueness of the products, either by recomposing the roots and links that bind them to the territory through the regulatory protection of quality figures or by recognizing themselves in their landscape expression [7]. Promoting sustainable tourism that creates jobs and promotes local culture and products could be another virtuous result of the MTAS (Goal Eight/target 8.9; Goal 12/target 12.8.b).

In this context, more and more products are strategically seeking to stand out through collective regulation mechanisms under the protection of a territorialized identity. Among all the figures that seek to qualify foods with a territorial reference, the Protected Designations of Origin (PDO) and Protected Geographical Indications (PGI) are those with the greatest recognition and regulatory path. Both pursue a two-fold objective: the quality guarantee that the product with its own name presents for its commercialization in the face of competition and the anticipation of its differential value to the consumer [11].

The territorial dimension of the indication of origin is based, on the one hand, on the physical space, as a material reference, as a place with specific environmental and cultural characteristics, and on the other, on the perception created and transmitted about the place, aimed at communication to protect the product in the competition process. A territorial brand is based on the perception it generates in minds and derives from positive behaviors towards the territory [12]. Therefore, the defense of the place calls for the protection of the name and its exclusive use.

With the addition of the name of origin, the product becomes spatially and culturally rooted and definitively discards the ordinary orientation of the generic. Protected geographical indications contribute to increasing the shared competitiveness of the agri-food industries under their protection [13]. Both PDO and PGI stand as backbone instruments that contribute to the development and sustainability of the rural fabric and as vehicles for the amplification of the territories abroad. A consolidated and competitive territorial indication is an added value for the companies associated with it, in addition to their own brand.

Marketing-wise, linking quality to geographical origin is a very powerful blend as it creates a joint competition between companies that strategically starts from a collaborative action. The identity of a parent indication (territorial/collective) is added to the individual indication and its local competitors as a shared endorsement of its difference in the market. In this way, the physical resources and potentialities of a territory are precursors to symbiotic marketing relationships for companies selling origin-specific products [14]. Companies cooperate when they work towards the reinforcement of the territorial indication they leverage while competing when they use it to their own advantage. A balance between competition and collaboration that pursues uniqueness, recognition for differentiation, and a symbolic hegemony in the context of an emerging economy of identity between territories [15].

The above functions (Figure 1) imply a differentiated quality value for agricultural and food products connoted by territorial anchorage, which is of benefit to the rural environment, with particular interest for the most disadvantaged or marginalized areas, whose production costs are high. As a counterpoint to productivist farming modalities, controlled origin indications can contribute to the improvement of farmers' income in exchange for a real qualitative effort [16]. Ensuring farmers and producers a fair and equitable income for the qualities and differential characteristics of a given product or its production method is one of the specific objectives pursued by the protection of PDO and PGI [17]. This encourages the establishment of a rural population linked to primary productive activities and, where appropriate, secondary ones derived from agri-food processing. In this sense, origin-indicated food can complement both rural development policy and the market support and income support policies implemented under the Common Agricultural Policy. In this context of potential secondary benefits, it can be deemed that origin indications not only have positive consequences for the product but also for the territory [18,19].



Figure 1. Functions of territorial food indication. Source: Own elaboration.

Wine is possibly the final product that best illustrates the synergy between product and territory [20]. The heterogeneity of the tangible and intangible attributes of its commercial strategy makes wine a highly complex product when it comes to analyzing its behavior in

the market. For instance, the interaction of attributes does not facilitate the distinction of the role of each one in the commercial trajectory of wine and its market price. However, some studies, which have attempted to quantify and model the role of these attributes in the prestige and price of quality wines, highlight the unquestionable role of the regional indication in this equation. This is the conclusion of the work of Areta García [21] who, based on the application of the hedonic price model for Spanish wines of differentiated geographical quality in the US market, attributes a strategically relevant value to the territorial variable and, as a characteristic, a key implicit price in the final price.

As standards of intellectual property (IP), PDO and PGI must be guaranteed protection. At the national level, they can receive it through various systems, so the global protection mechanism must be flexible enough to consider the peculiarities of the different national and supranational jurisdictions, such as the EU, for instance. The result is thus a regulatory framework built by overlapping rules at different levels, which converge in the global market, generating a great complexity of competence between the parties (Member States) and the products—a set of laws, rules, and regulations that is not only advantageous for producers interested in obtaining greater legal protection for their distinctive designations in world markets but also benefits consumers seeking guarantees of product quality, authenticity, and traceability.

The complexity of the regulatory context in origin indication, which has evolved at different levels, reveals changes in approach and necessary adaptations to the claims that have arisen in the process of recognizing and promoting geographical indications. Thus, in wine PDO and PGI, due to their greater trajectory and maturity, two issues are relevant and could be extended in the future to other agri-food products with an indication of origin. On the one hand, the regulatory adaptation in response to the strategies of internal differentiation and claims of micro-territorialized figures, and on the other, the growing consideration of the wine-growing landscape as a valuable image for the territorial indication, with both private and institutional recognition. The territory, a distinctive support for the quality and character of the product, becomes a landscape when the prestige achieved by the product claims it as a representative image [22].

The production and marketing strategy deployed by the Protected Designations of Origin (PDO) and Protected Geographical Indications (PGI) for wine has more than fulfilled its amplifying purpose, creating recognized viticultural references in its attempt to confer homogeneity on the quality of wines and safeguard their distinctive character. However, for the same reason, it has given rise to control bodies with rigid regulatory frameworks, faced, in their format, with a maturity that shows their lack of flexibility in relation to the new aspirations of winemakers and consumers. On the part of some producers, the constraints of recognizable quality are perceived as a hindrance to the innovative pretensions of commercial brands, especially those whose focus is on artisanal production. The intended homogeneity towards the outside becomes an unspecific quality towards the inside, generating frustration, conflict, and demand for alternatives that allow combining the control due to the common indication with the desire for productive originality that, within the established framework, the companies under its protection seek.

Thus, the projection and prestige gained with the name open new paths to experimentation in the search for a distinction aimed at the creation of personalized wines within the appellation, either by claiming micro-scale territorial circumscriptions, departing from the established parameters and trying out new formulations or innovating in the aging processes—a twist that adds to the value of origin the increasingly prominent creative work of the winemaker in the design of wines that, without losing the geographical reference that endorses them, are presented above it, supported by their originality.

This is a new drift in the trajectory of territorial indications. Although exceptional, there are some cases of abandonment of the geographical indication by some producers and even the tendency for other emerging producers not to adhere to it in an attempt to operate their own way, taking the lead of the consolidated territorial indications but without being subject to their restraints.

All these adjustments are part of an evolutionary process, a long one in the case of the wine sector—due to nine decades of PDO in Spain—with specific regulatory changes, whose conformation over time allows to sound out the evolving nature of the territorial protection figures and the problems they face at their different operating scales. The wine sector is a very important economic sector in Spain, the first country in vineyard surface area (961,000 ha in 2020, 13.1% of the world total) and the third largest wine producer in the world [23].

On these bases, this paper focuses on the following objectives:

- Examine the configuration of the general regulatory framework in which the figures of protection by geographical origin are developed in their different spheres of action—global, supranational (EU), and national (Spain, with reference to the subnational sphere of the regions or Autonomous Communities), with the wine sector as a reference of maturity and evolution.
- Quantify the current importance of geographical indications in EU countries and highlight the importance of the wine PDO/IGP on the whole.
- Show the process of conformation of wine Geographical Indications in Spain and the growing importance acquired by the PDO, with reference to the Spanish traditional terms protected in the EU for wine and its progression.
- Analyze the direction and meaning of the regulatory changes observed in the general context of protection and control in the wine sector, following, for this purpose, the exemplary case of some Spanish PDO and the adaptive response of the wine Regulatory Councils as reflected in their regulations.
- Reflect on the multifunctional value of geographical indications in wine-growing territories and their landscapes as a brand image for wines, with a focus on wine tourism.

2. Materials and Methods

Method-wise, the main focus is on the review of documentary sources, legislation, jurisprudence, and specifications of the PDO Regulatory Councils, with special attention to their recent modifications, in the face of the challenge of preserving their guiding role without curtailing the innovative aspirations of their members to demand more flexible regulations and a greater margin for action.

The following are the working methods and consultation of sources carried out:

- Review of documentary sources and reports from the different organizations with competence in the different spheres of action: global, supranational (EU), and national (Spain).
 - World Intellectual Property Organization (WIPO). Consultation, in time perspective, of the documents on geographical indications, their definition and protection issued by the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications and their annual Reports (consulted in different years; last published in July 2021) [24]. Other reports consulted: *Appellations of origin in the viticultural sector. The vision of the wine producers* [25];
 - International Organization of Vine and Wine (OIV). Technical documents and reports of the OIV expert groups, among them: *2019 Statistical Report on World Vitiviniculture* [26] and *State of the World Vitiviniculture Sector in 2020* [23].
 - European Union (European Commission). Documents consulted: *Evaluation support on geographical indications and traditional specialties guaranteed protected in the EU* [19] and *Study on assessing the added value of PDO/PGI products* [20].
 - Ministry of Agriculture, Fisheries and Food (MAPA): Denominaciones de Origen e Indicaciones Geográficas Protegidas [27]. *Characterization of the quality products market differentiated protected by PDO e PGI, 2018* [11].
 - Spanish wine market observatory (OEMV) [28].
- Review of world, European and Spanish legislation and jurisprudence (including the subnational sphere of the regions) on geographical indications, especially those related to wine.

- Comparative consultation of the specifications of a selection of consolidated PDO in the regions of Castilla y León, Castilla la Mancha, and Rioja, as an example of Regulatory Councils that have requested and achieved recent modifications.
- Consultation of the specifications of the PDO of the traditional term *Vino de Pago* in Spain.
- The fieldwork consisted of open-format, non-systematized interviews with members of the Regulatory Councils and winemakers of the PDO of Castilla y León (Ribera de Duero, Rueda, Toro, Bierzo), who provided valuable qualitative information for the analysis.
- Statistical sources:
 - OIV, International Organisation of Vine and Wine Database [29].
 - The EU geographical indications legal register of the European Commission, eAmbrosia, where the names of agricultural products and foodstuffs, wine, and spirit drinks that are registered and protected across the EU [30]. In January 2020, the eAmbrosia register became the single database for all terms protected by geographical indication (PDO and PGI) or Traditional Specialty Guaranteed (TSG). This centralization of data in a single register merges the three databases previously in operation (DOOR, e-Bacchus, and e-Spirit-Drinks).
 - Latest consultation date for all countries and products: January 2022.
 - The consultation period for wine PDO/PGI: from 1973 for European countries and from 1986 for Spain (year of entry into the EU).
 - Database of Spanish PDO and PGI of the Ministry of Agriculture, Fisheries and Food, with special attention to the DOP/IGP of wines and the periodic reports that this organism publishes on vineyard surface for vinification, production, and commercialization of wines by campaigns: *Data of the Protected Designations of Origin of Wines* [31].
 - Period of data consulted: from 2009/2010 to 2019/20, the latest available.
- Cartographic material: cartographic base of the differentiated quality areas provided by the Spanish Ministry of Agriculture, Fisheries and Food, last updated in May 2017. In order to complete that cartographic base, a detailed consultation of the Specifications of Conditions of all the *Vinos de Pago* (VP) was carried out, as well as one of the Designations of Origin declared after May 2017. With all the geographic information, a specific cartography with ETRS89/UTM zone 30N projection of the whole of Spain was developed. The shaded relief imagery was developed by ESRI using GTOPO30, Shuttle Radar Topography Mission (SRTM), and National Elevation Data (NED) data from the USGS.

3. Results

3.1. Regulation, Control, and Defense of the Food Geographical Indication

The action of geographical indication entails a normative regulation subject to a strict institutional endorsement procedure, which establishes the limited framework of the distinctive characteristics attributable to the product. This creates a context of homogeneity that translates into a distinctive guarantee for all products sold under this geographical label. Upon these premises, a strategy is built on two levels: on the one hand, local cohesion in the production and commercial process around the territorial identity of the product (in line with the spirit of the MTAS); on the other, market loyalty to those characteristics that are unique and recognizable under the protection of the name. A trend with growing support in the markets and institutionally encouraged, whose regulatory trajectory and practical application are focused on safeguarding and defending the name, within the framework of the common precepts of intellectual property protection [32]. However, the regulatory complexity is increased by the fact that it is a trademark that needs to be proven. In these cases, the registration of the name and the logo that represents it is not enough. As they are collective indications, the characteristics that define the specificity for the set of trademarks

that fall under their protection must be regulated, which leads to the development of a complex regulation in its formulation, involving all levels. From the technical conditions of the international register, with specific regulations for the protection of designations of origin, to the European, national and regional regulations, which are finally specified in the mandatory specifications that all Regulatory Councils must establish for their indications of the geographical origin of agricultural and agri-food products (Figure 2). Ownership, i.e., the permission to use an indication of origin under certain conditions, is a controversial issue and a source of disagreements that often end in litigation. The starting point is to consider the geographical indication (PDO or PGI) as an intangible asset in the public domain for use restricted to certain groups, with the consequent distinction between the right “over” the designation of origin and the right “to” the designation of origin.

GLOBAL CONTEXT	
Trademarks	<ul style="list-style-type: none"> ➤ The Madrid Agreement concerning the International Registration of Marks (1891) and the Protocol relating to the Madrid Agreement (1989). ➤ The 26 treaties administered by WIPO. <ul style="list-style-type: none"> ▪ Union of Trademarks. ▪ Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT).
Geographic brands	<ul style="list-style-type: none"> ➤ Background of the geographical mark: revision in Washington of the Paris Convention for the Protection of Industrial Property. Concept of protection of "collective marks", belonging to "collectivities" (1911). ➤ Lisbon System: <ul style="list-style-type: none"> ▪ The Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (1958). ▪ Geneva Act (2015): updates and improves the international registration system for the protection of names identifying the geographical origin of products, extending protection to GIs.
EUROPEAN UNION	
All products	<ul style="list-style-type: none"> ➤ Regulation (EU) No 1151/2012 on quality schemes for agricultural products and foodstuffs (excluding grapevine products, spirit drinks and aromatised wines). ➤ Regulation (EU) No. 1308/2013 establishing a common organisation of the markets agricultural products. (It incorporates the specific regulatory framework for the regulation of the wine sector).
	SPAIN
	Background (repealed legislation) <ul style="list-style-type: none"> ➤ Statute of wine of 1932 (Decree of 8 September elevated to Law by that of 26 May 1933). ➤ Law 25/1970 of the Statute of the Vineyard, Wine and Alcohols.
	Regulations in force. National and supraautonomic <ul style="list-style-type: none"> ➤ Law 24/2003 on Vine and Wine. ➤ Law 6/2015 on Protected Designations of Origin and Geographical Indications of supraautonomic territorial scope.
Agricultural, food and wine products	Regulations in force. Autonomous Communities (C.A.) <ul style="list-style-type: none"> ➤ C.A. del País Vasco: Law 5/2004 on Wine Planning. ➤ Comunidad Valenciana: Law 2/2005 on the Regulation of the wine sector of the Valencian Community. ➤ C.A. de Castilla y León: Law 8/2005 of the Vineyard and Wine of Castilla y León. ➤ Comunidad Foral de Navarra: Provincial Law 16/2005 on wine management. ➤ C.A. de Canarias: Law 10/2006 of the regulatory councils of wines of the Canary Islands. ➤ C.A. de Andalucía: Law 10/2007 on the Protection of the Origin and Quality of andalusian Wines. ➤ C.A. de La Rioja: Law 1/2017 on the control of viticultural potential in the Autonomous Community of La Rioja. ➤ C.A. de Cataluña: Law 2/2020 on viticulture.
Wine sector	

Figure 2. Global and European regulatory framework for the geographical quality marks, focused on the wine sector for Spain. Source: Own elaboration.

3.1.1. An International Framework for the Registration of Trademarks: The Madrid Agreement and the Lisbon Agreement

The trademark protection system came to light at the end of the 19th century at a time of expansion of world trade and exports in response to the need to articulate a guaranteed model for safeguarding the identity of products by means of a registered trademark in the growing scenario of international competition. With this intention, the so-called Madrid System emerged, which was governed by two treaties: the Madrid Agreement Concerning the International Registration of Indications, adopted in the Madrid Convention of 14 April 1891, revised in Stockholm in 1967 and amended in 1979; and the Protocol Relating to the Madrid Agreement, adopted in 1989, which pursued to make the system more flexible and compatible with the national legislation of certain countries and intergovernmental organizations that under the previous conditions had not been able to adhere to the Agreement. With the adaptations made necessary by the emergence of new

products and non-conventional forms of indication, the system remains essentially in force under the Common Regulations [33].

The international legal framework for trademarks is constituted by the 26 treaties administered by WIPO, together with the national and regional norms of the Contracting Parties [34]. Currently, the Contracting Parties (States and intergovernmental organizations), integrated into the assembly of the Trademark Union are 110 members, covering 126 countries. These members represent more than 80% of world trade.

Within this general context, the antecedent of the concept of geographical indication dates back to 1911, following the revision in Washington of the Paris Convention for the Protection of Industrial Property, which introduced the concept of protection of “collective indications,” that is, those belonging to associations, “even if such associations do not possess an industrial or commercial establishment” [35] (Art.7bis). The Convention does not give a definition of a collective indication, so that collectivities are understood as associations of manufacturers or sellers of goods produced in a given country or region “having characteristics or qualities in common which, in general, indicate a guarantee of quality” (*Ibidem*). The inclusion of this category opened the door to the recognition of the distinctive quality of a collective indication by geographical origin.

The peculiarity of the indication of origin among registered trademarks led to the development of its own Treaty in 1958, the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration. This treaty, together with its latest revision, the Geneva Act of 2015, give shape to the Lisbon System, specific to the international registration of designations of origin and geographical indications with WIPO. This System guarantees the international protection of the names of products whose quality is linked to the place of origin.

The object of protection of the Agreement was, as stated in Article 2, the “geographical denomination of a country, region or locality which serves to designate a product originating therein, the quality or characteristics of which are due exclusively or essentially to the geographical environment, including natural and human factors.” However, under this description, the treaty only contemplated DO, which are a special type of territorial indication. The Geneva Act updates and improves the international registration system for the protection of names that identify the geographical origin of products, extending protection also to GIs. In this way, the Register is adapted to the current national or regional systems of protection of territorial designations [36].

As a sign of its drive for inclusiveness, a further novelty of the Act is the introduction of maximum flexibility as to how protection may be applied, i.e., through *sui generis* DO or GI laws—which apply specifically and/or exclusively to them—or from trademark legislation. In any case, the DO or GI registered in the Lisbon System, including cross-border ones—an important novelty of the Act—are protected against usurpation and imitation of any kind (Agreement, Art. 3), with the guarantee that, as long as such a designation continues to be protected in the country of origin, it cannot be considered to have become generic in any other Contracting State (Agreement, Art. 6).

The complexity surrounding origin indication protection and the large number of disputes arising from conflicts of interest calls for a continuous revision or implementation of the regulations. WIPO has a Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT), a forum where Member States discuss legal and policy issues related to the international development of trademark laws and standards.

An example of the continuous modifications of the regulatory framework is the recent exclusion of country names (Member States indistinctly) as trademarks for registration, or conversely, and appealing to the literal wording of the document, “the protection of country names against registration and use as trademarks” [37]. In general, this was a matter not covered by national laws, except for the laws on the subject of Serbia, Albania, Cambodia, Bangladesh, Iran, and Oman, cited as an exception in the document. The absolute ground for refusal of registration is based on the lack of distinctive and descriptive character of the country names, this being precisely the basic function of the geographical indication:

not the simple generic evocation of the place of origin but the distinction of the objective characteristics of the product by the place of origin. The lateness of the measure may come as a surprise, but it reflects the constant need to fine-tune the regulations on an issue, that of geographical indication, which is highly exposed to confrontation.

Both the Madrid Agreement and its Protocol, in the general context, and the Lisbon Agreement and the Geneva Act, in the specific context of the DO, will be referenced for the subsequent development of legislation for the protection of trademarks by the States and the EU.

3.1.2. A Specific European and Spanish Regulatory Framework for the Regulation of the Wine Sector

Wine is the first foodstuff to be protected with a geographical name in Spain. The term “designation of origin” for the indication of origin of Spanish wines acquired legal status, as a regulated figure, in the Statute of Wine of 1932, Decree of 8 September elevated to Law by that of 26 May 1933. Inspired by the French law of 1919, this was the first legal framework for the protection of Spanish DO. By then, the term had its antecedent in the “Rioja designation” as an indication with its own seal, which emerged in 1925 and was endorsed by its first Regulatory Council, created by the Royal Decree of 22 October 1926, although this body was not legally structured until 1945. Its Regulations sought to establish precise instruments to implement the true indication of origin of Rioja wines and the persecution of false indications, following the orientation of reaching the limits of commercial freedom (RO published on 28 February 1928). The legal basis for this figure is the Industrial Property Law of 16 May 1902, Title IX which mentions “indications of provenance,” with the provision of rules based on the principle of the truthfulness of the product with respect to its place of production/manufacture. These rules were transferred to the Industrial Property Statute of 1929, although, as in France, the rules applicable to designations of origin will be specific to the wine sector.

The Wine Statute was intended to comprehensively regulate the sector, incorporating into national legislation the principles and obligations undertaken in the Madrid Agreement. Wine being considered a key export product, legislation on the safeguarding and recognition of its quality of origin implied differentiating typical wines traditionally known by their place name on the domestic or foreign market, which responded “to special production characteristics and to certain production and aging procedures used in the district or region from which they take their geographical name” [38] (Wine Statute, Chap. IV. Designation of origin).

This Law, in force for almost four decades, accumulated inefficiencies arising from the praxis of the protection it pursues and from its biased address to the problems derived from the diverse scenarios of the DO, together with its inadequacy to the technological advances and transformations of the sector needed for the opening of the Spanish markets in Europe. This cumulative imbalance led to the enactment of Law 25/1970 [39], of 2 December 1970, which approved a new Statute of the Vineyard, Wine and Alcohols. By then, Spain’s participation in some international organizations, such as the International Vine and Wine Office, called for the terminological update of the Statute, as well as the convergence of criteria in technical matters.

In addition to the regulatory changes contained in the Statute, the main novelty of the Law was the creation of the National Institute of Designations of Origin (abbreviated INDO in Spanish) as an autonomous body attached to the Ministry of Agriculture. The purpose was to organize, under criteria of homogeneity, the performance of protection and guarantee of wine quality, partially modifying the regulations governing the Regulatory Councils of the DO that were integrated into it. The aim was to reduce the number of autonomous bodies, which had been the nature of the Regulatory Councils up to that time, to be placed under the tutelage of the Institute, with each one represented on the INDO Board. A further noteworthy implementation was the creation of a vineyard and winegrowing cadaster under the auspices of the Institute. However, the functions of the

INDO were questioned after its constitution in 1979 [40] in view of the imminent creation of the autonomous regions and the transfer of the leading role in the control of the wine sector to them, although its formal annulment took place belatedly [41].

It should be noted that the 1970 Statute extended the origin indication model to the rest of the foods, whose quality protection was considered of special economic or social interest (fifth additional Provision). This established the legal framework of reference for the geographical indication of other agricultural and agri-food products, whose Regulatory Councils were placed under the same framework as those of the wine DO, also under the protection of the INDO.

Given the specific importance of the wine sector in Europe and its background as a product indicated by origin, wine would be considered a separate product in terms of regulation, subject to its own regulatory schemes, both within the EU and in the main producing countries. The current legal basis of reference for wine PDO and PGI is Regulation (EU) No. 1308/2013 [42], establishing the Common Organization of Agricultural Products, with specific articles on wine (Title II) and multiple references throughout the text. Likewise, the mechanism for recognizing and safeguarding the name of wines is registration. In their case, the European Register began to operate in 1973, almost two decades ahead of the one created for other agricultural and agri-food products (1996), although it would not become an open electronic register until its establishment in 2008 (Regulation (EC) No. 479/2008, Art. 46). In eAmbrosia, the legal register in EU [30], there are a total of 3830 references (3456 registered, 368 in the pipeline, 6 rejected or canceled; last consultation in January 2022). Of the total registered, 3235 correspond to EU countries and 221 to third countries (Table 1). Figure 3 shows the evolution and growth of geographical indications in the European register for wines, spirit drinks, and food (first registered in 1973, 1989, and 1996, respectively).

Table 1. Number of differentiated quality products under protection in the EU by registration categories and subcategories. Source: own elaboration. Data from the European Commission. eAmbrosia, EU Register of Geographical Indications (last consulted in January 2022).

Products	Total	EU Countries				Non-EU Countries				SPAIN			
		Register	PDO	PGI	GI	Total	PDO	PGI	GI	Total	PDO	PGI	GI
Geographical Indications													
Wines	1623	1173	438	-	1611	5	7	-	12	98	42	-	140
Food	1574	628	755	-	1383	40	151	-	191	103	97	-	200
■ Fresh meat	168	38	115	-	153	5	10	-	15	-	21	-	21
■ Meat products (cooked, salted, smoked, etc.)	186	37	142	-	179	-	7	-	7	5	11	-	16
■ Cheeses	252	187	48	-	235	10	7	-	17	26	3	-	29
■ Other products of animal origin	50	36	13	-	49	1	-	-	1	5	1	-	6
■ Oils and fats	146	119	26	-	145	1	-	-	1	31	2	-	33
■ Fruit, vegetables, and cereal fresh or processed	462	153	241	-	394	11	57	-	68	25	37	-	62
■ Fresh fish, mollusks, crustaceans, etc.	63	13	29	-	42	5	16	-	21	1	4	-	5
■ Beers	22	-	19	-	19	-	3	-	3	-	-	-	0
■ Bread, pastry, cakes, biscuit, etc.	86	4	80	-	84	-	2	-	2	-	17	-	17
■ Pasta	10	-	9	-	9	-	1	-	1	-	-	-	0
■ Salt	8	5	3	-	8	-	-	-	0	-	-	-	0
■ Others	121	36	30	-	66	7	48	-	55	10	1	-	11
Spirit drink	259	-	-	241	241	-	-	18	18	-	-	19	19
TOTAL	3456	1801	1193	241	3235	45	158	18	221	201	139	19	359
Traditional Specialities Guaranteed	78				71				7				4

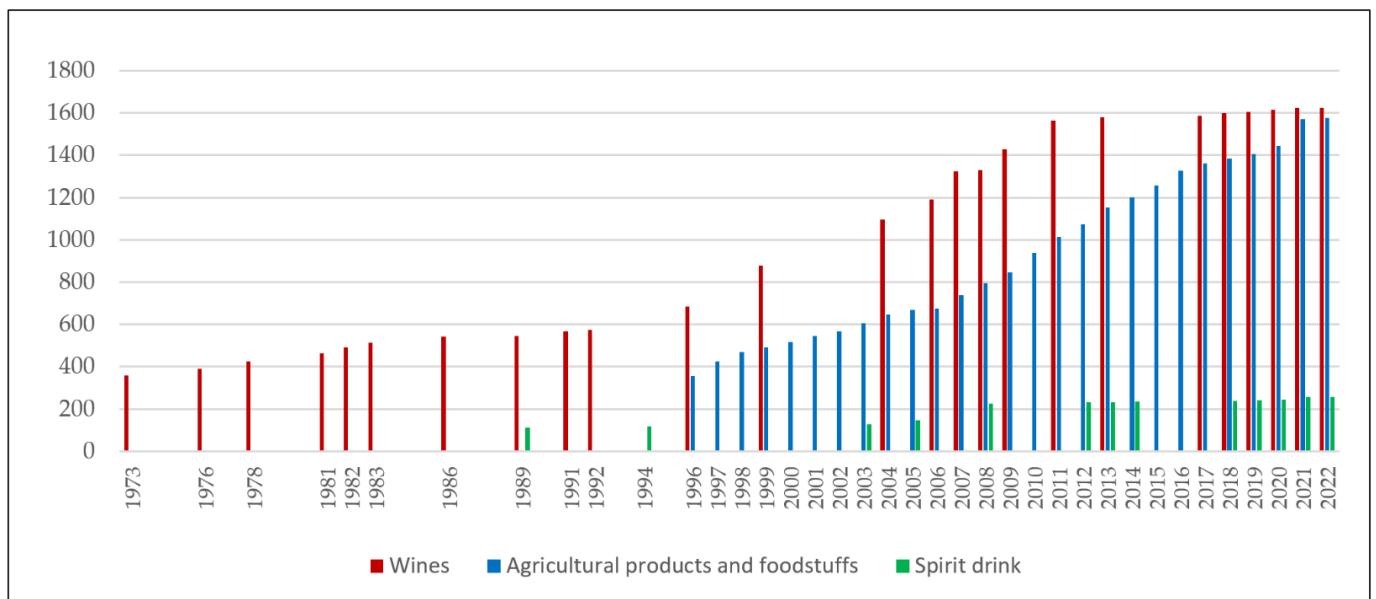


Figure 3. Evolution of the number of products registered in Europe as protected geographical indications. Source: Data from the European Commission. eAmbrosia, EU Register of Geographical Indications (last consulted in February 2022). Own elaboration.

The quantitative importance of the different quality regimes by type of registration shows the prominence of wines within the total number of geographical indications, accounting for 46.9% of the total (Figure 4).

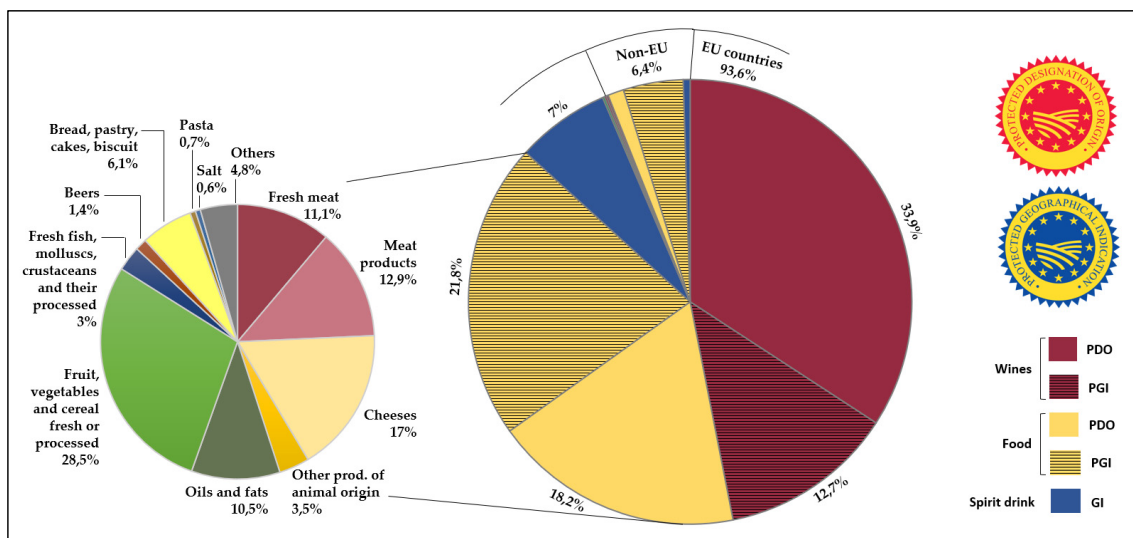


Figure 4. Percentage significance of differentiated quality products protected in the EU by geographical indication, category, and registration subcategories. Source: Data from the European Commission. eAmbrosia, EU Register of Geographical Indications (last consulted in January 2022). Own elaboration.

Within the EU, the breakdown of references by major registration categories reveals the very significant importance of Italy, France, Spain, and Greece, which have a remarkable number of wine references as compared with the EU Member States (Figure 5).

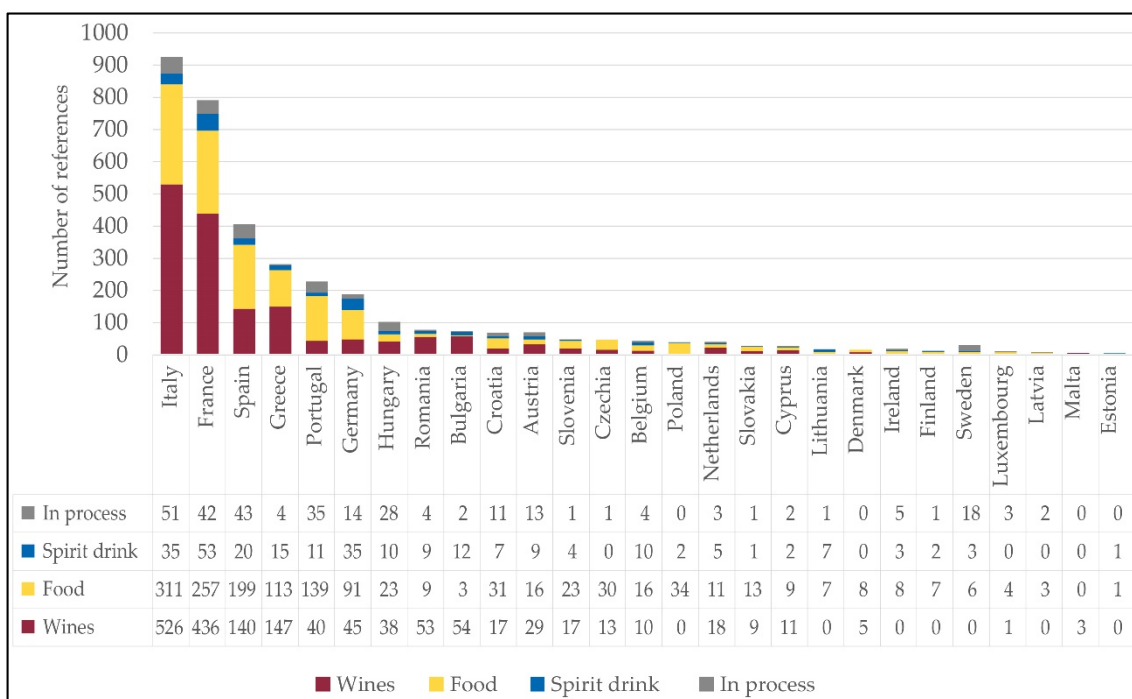


Figure 5. Number of PDO and PGI references from EU countries, registered in the European Register of Geographical Indications. Source: Data from the European Commission. eAmbrosia, EU Register of Geographical Indications (last consulted in June 2021). Own elaboration.

In Spain, the registry shows the importance of the country as a producer of quality foods (200 registrations: 103 PDO/97 PGI), with a number of registrations in this category even higher than that of wine references (140 registrations: 98 PDO/42 PGI). However, Spain is far from Italy and France, leading in all registration categories (873 and 748 registrations respectively), with special importance of wine references (526 and 437 registrations each).

Spain’s entry into the EEC and the decentralization of state powers (creation of the State of Autonomies) gave rise to a series of regulatory changes that made it difficult to determine which of the precepts of the 1970 Wine Statute were still in force, which led to the enactment of a new Law. The Vine and Wine Law 24/2003 [43], the last national legislation specific to the sector, was controversial regarding a large part of its articles due to a fact of great transcendence in the Spanish legislation—the transfer of competencies to the Autonomous Communities and, specifically, the assumption by the latter of the competence in agriculture and livestock farming. The non-conformity of the autonomous regions of Catalonia and Castilla-La Mancha, which by then had already developed their own legislation in the sector (Law 15/2002 [44] and Law 8/2003 [45], respectively), led to two rulings of the Constitutional Court (STC 34/2013 [46] and STC 82/2013 [47]) determining that matters relating to PDO are a matter for the Autonomous Communities, in respect of which the State cannot even dictate basic rules. This led, on the one hand, to the redefinition of the national Law, limited with the elimination of the articles referring to the issue of indications of origin, and on the other, to the development of specific autonomous laws for the regulation of the wine sector and/or the protection of the origin and quality of wines (La Rioja in 2002, Basque Country in 2004, Valencian Community, Castilla y León, and Navarra in 2005, the Canary Islands in 2006, Andalusia in 2007). These laws and their subsequent developments establish the complementary legal regime in this area, within the margins established by the EU.

Above the regions, the State merely maintains regulatory power in the case of PDO and PGI of supraautonomic scope (Law 6/2015), that is, for the DO “Cava” (present in Barcelona, La Rioja, Zaragoza, Badajoz, Valencia), “Jumilla” (in Murcia, Albacete), “Rioja”

(in Álava, La Rioja, Navarra, Burgos), and the PGI “Ribera de Queiles” (in Zaragoza, Navarra), whose protected names are in the State public domain (Figure 6).

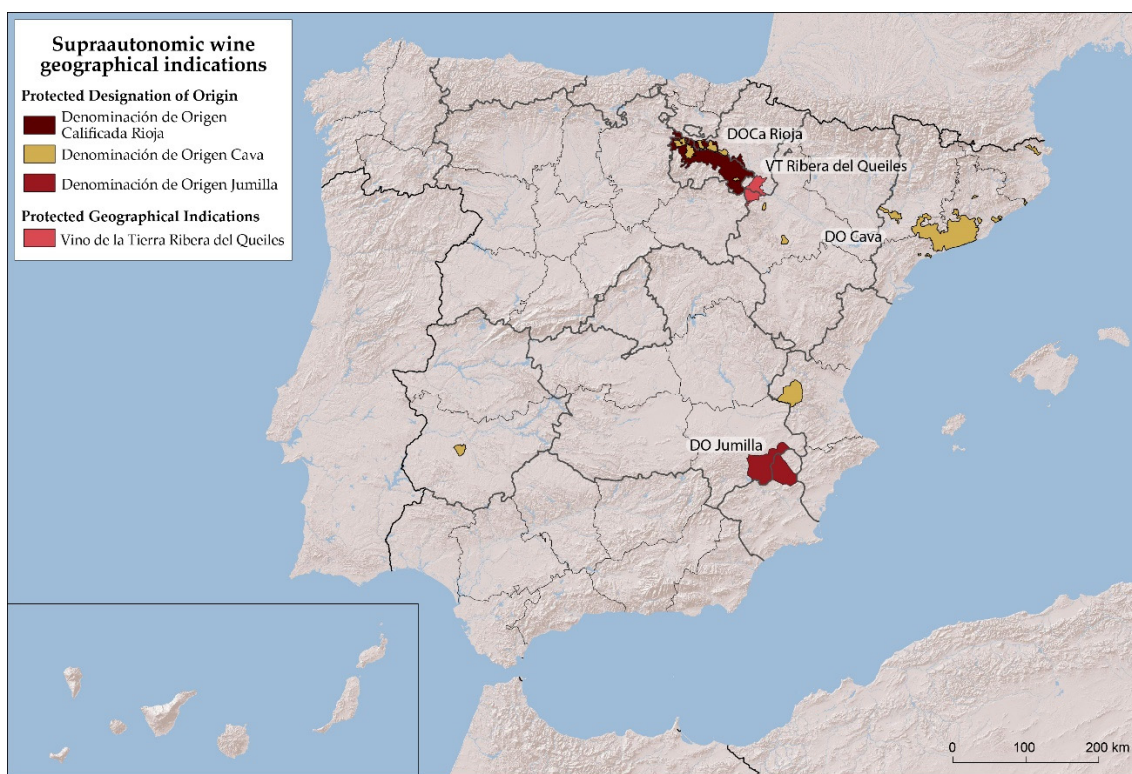


Figure 6. Supraautonomic wine geographical indications. Source: European Commission. eAmbrosia. The EU geographical indications register. Retrieved from: <https://ec.europa.eu/geographical-indications-register/> (accessed on 20 January 2022) and Spanish Ministry of Agriculture, Fisheries and Food. Own elaboration.

This circumstance hinders their trajectory, given the political discontent that such links generate within the Regulatory Councils. The responses are diverse, from the distancing and desire for “self-determination” observed in the different producing areas of the “Cava” DO, especially in Catalonia and La Rioja, to the split attempt launched by the winemakers of the Rioja Alavesa, with the favorable resolution of the Basque government for the designation of origin “Arabako Mahastiak/Viñedos de Álava” and the initiation of the process of transferring the file to the Ministry of Agriculture (BOPV, Resolution of 10 March 2021) [48]. This decision has its precedent in previous proposals aimed at compartmentalizing the DO with qualified status “Rioja” (DOCa—Qualified designation of origin, traditional term protected in the UE for wine) into three differentiated ones—DOCa “Rioja Alta,” DOCa “Rioja Oriental” and DOCa “Rioja Alavesa”—with special pressure from some winemakers from Alava clamoring, since 2015, for a Basque geographical indication around Laguardia. It is argued that a PDO as broad as “Rioja” confuses consumers and dilutes the message of territoriality and identity of the product.

The drift initiated brings to the table the fact that some large and spatially diverse PDO seem to be out of line with the current times, as consumers are looking for an increasingly refined *terroir* identity in wines. However, in Europe, examples are found where territorial diversity within the same designation is approached from a different perspective, which does not contemplate splitting but rather internal nuancing using micro-territorialization within the DO; nor is it minor, as an addition to the possible political and commercial issues, the fact that the territory of the “Rioja” PDO applied to UNESCO as a World Heritage cultural/wine-growing landscape in 2012 under the name “The cultural landscape of wine and vineyards of La Rioja” [49]. At the moment, UNESCO’s response is unfavorable,

conditioned to the redefinition of the core area of the property to be declared [50]. This led the Rioja Alavesa sector to express its desire to submit its own candidacy, considering its territory to be of greater merit and integrity to achieve this distinction, thus furthering the idea of estrangement and division within the DOCa.

The previous example shows the distortion that the political division of Spain into autonomous communities represents for the geographical indication of food. The supra-autonomous PDO have their *raison d'être* on a pre-autonomous basis, which is why inherited configuration becomes a source of political conflict. Considering regional boundaries as an argument for geographical indication is an absurdity in bordering areas with the same winemaking tradition, which we do not find in other European countries. Examples of this are the adjacent PDO of “Mérida” (Castilla-La Mancha), “Vinos de Madrid” (Madrid), and “Cabreros” (Castilla y León), whose separation due to regional boundaries becomes a frustration for some winemakers with vineyards and/or wineries located on either side.

Over and above local disagreements and under a harmonized approach and common elements for all Member States, the role of the European Commission has become key and a protagonist in PDO and PGI matters with the development of a guiding and prevailing regulation that has surpassed the approach of national regulations. These origin-linked protection figures are globally recognized under the auspices of the World Trade Organization. Consequently, the concurrence of competencies reveals a regulatory complexity that exceeds regional and national autonomy in favor of higher-ranking, community, and global regulations. This has led some communities—Castilla-La Mancha and La Rioja—to repeal their wine laws as inefficient and to focus their regional regulations on specific aspects, such as regulating the control of the winegrowing potential in their territory—Law 1/2017 of La Rioja—, as the planting of vineyards remains subject to public intervention as an essential element of regulation of the wine market. From this same gap and necessary update arises respecting the integral format, the new Law on winegrowing of Catalonia (Law 2/2020) [51], which replaces the previous 2002 law on winegrowing management [44] (Law 15/2002). This most recent law, in addition to the mandatory adaptations to the current regulations, describes a new conceptual opening in the regulatory framework of PDO and PGI, in line with the new sensitivities aimed at allowing the differentiation of references within them.

Thus, the regulatory progress in the indication of origin of wines has sought, until recently, to perfect the shielding of the distinctive characteristics that, for the sake of a common quality standard, would make the collective geographical indication recognizable. It is a long history of adjustment, although such efforts have generated inflexible regulatory environments that stifle the claims of differentiation of the trademarks within the PDO. In general, there is no renunciation of belonging to a protected indication of origin, nor of its control; however, internally the rigidity of the regulatory framework is called into question.

Applying the same regulations to such a variety of production models and PDO sizes can lead to a certain devaluation of the figure itself [52]. Therefore, in the face of pressure from winemakers, PDO have started to show more open to the unidirectional criteria of homogeneity. Formulas that allow wineries and their winemakers to travel paths of greater freedom to satisfy their pretensions to create and put on the market experimental wines in their formulations and winemaking methods have been incorporated. Exclusive wines, standing up for their superior quality and minority production volume, are offered to the market as unique in order to raise the prestige of the indication within the PDO.

3.2. History of Wine Geographical Indications in Spain

The 1932 Statute acknowledges a list of 19 wines, which could be extended in the future, designated with protected geographical names under the term of designations of origin: (Figure 7). Several of these recognized DO began their regularization process under the terms established with the request for the designation of a Council. However, the vicissitudes of the civil war and the commercial restrictions of the following years postponed the completion of the processes for several decades. Proof of this are the cases

of “Tarragona”, “Concha de Barbará”, “Priorato” and “Valdepeñas”, whose request for the designation of a Control Board dates from 1933, when the law was promulgated, although neither this nor the approval of the respective regulations became effective until years or decades later. Only the wines of Rioja, Jerez (the two oldest DO), Málaga, and Montilla-Moriles, with a consolidated export model, managed to have their Control Boards and regulations approved and in operation relatively quickly. Nevertheless, the diversity of situations and the lack of definition of the general rules governing the Regulatory Councils gave rise to numerous inefficiencies in the content of the regulations that hindered the practical exercise of production and monitoring, which led to continuous revisions.

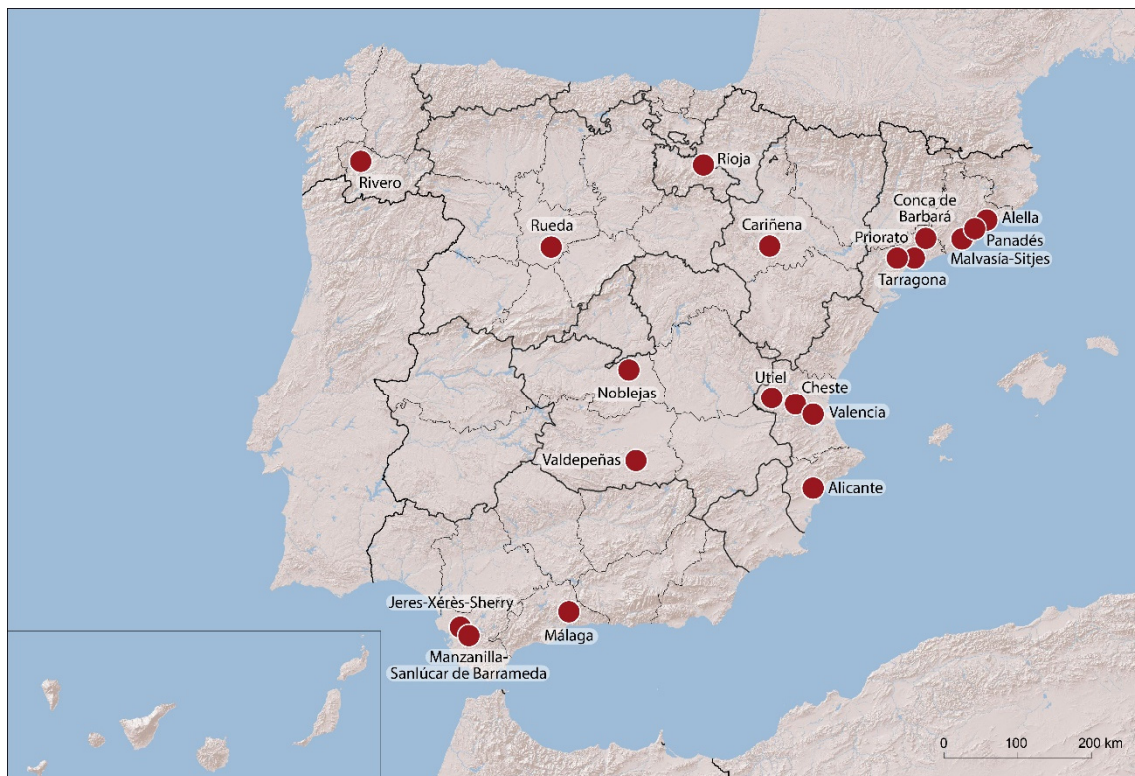


Figure 7. Wines included in the 1932 Wine Statute for protection under the term designations of origin. Source: Wine statute of 1932. Own elaboration. NB: The spelling of the DO is transcribed as they appear in the Statute.

When Law 25/1970 of 2 December 1970, on the Statute of the Vine, Wine and Alcohols replaced the previous one, there were 20 DO in Spain recognized and functioning with their respective Regulatory Councils (as stated in the First Transitional Provision of the aforementioned Law). Of the initial list of 1932, all except “Rueda”, “Malvasía-Sitjes”, “Noblejas” and “Concha de Barbará” are regularized; others have joined together (“Jerez-Xérès-Sherry, Manzanilla-Sanlúcar de Barrameda”, “Utiel-Requena”); and new ones have been added (“Huelva”, “Jumilla”, “Mancha, including the subdenominations Manchuela, Almansa and Mérida”, “Navarra”, “Montilla-Moriles”, and “Valdeorras”) (Figure 8).

In an economic context of modernization of production and expectations of greater trade openness, the 1970 Statute paves the way for the expansion of wine PDO, whose number would grow in the following decades with Spain’s entry into the European Economic Community.

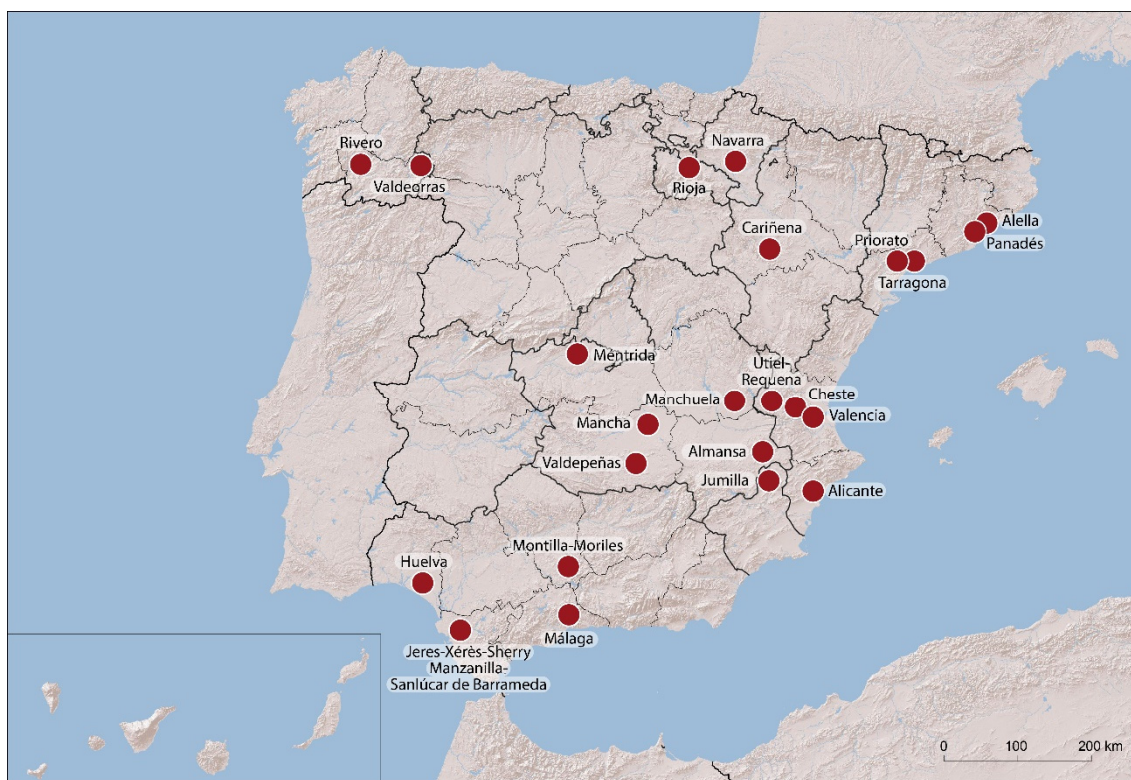


Figure 8. DO operating in Spain in 1970. Source: Law 25/1970 of Statute of the vineyard, wine and alcohols. Own elaboration.

At present, the Spanish system of PDO wines is made up of 99 references registered in the European Union (European Commission, eAmbrosia, February 2022), which are broken down, according to traditional terms, into 2 *Denominaciones de origen calificada*, traditional term DOCa, (Qualified designations of origin in English); 68 *Denominaciones de origen*, DO, (Designations of origin); 22 *Vinos de pago*, VP (Single vineyard wines) and 7 *Vinos de calidad*, VC (Quality wines) (Figure 11). In addition, there are 42 Protected Geographical Indications (PGI) or *Vinos de la tierra* (Wines of the land). This group of references is the result of a long history in the geographical indication of wines, which was consolidated with Spain's entry into the European Union in 1986. On that date, 29 PDO of Spanish wines that were already operating with this category in the country were incorporated into the European register (Figures 9 and 10).

N.B.: The maps reflect the current categories and surface areas of the PDO. "Rioja" received the DOCa in 1991 and "Priorat" in 2000.

The number of wine PDO has continued to increase, as has the percentage weight of vineyard area registered under this figure in the total vineyard area for processing (Table 2, Figure 11).

This trajectory demonstrates the importance of these quality figures in the continuity of the crop and also the interest of the wine-growing regions under the protection of the PGI to evolve towards one of the PDO figures, whether DO, VC, or VP. The evolution of the latter figure represents a conceptual change as a differentiation strategy that even calls into question the fundamental principles of geographical indications as collective indications.

3.3. Maturity of Wine PDO as Quality Figures: Regulatory Adaptation, Internal Differentiations Strategies, and Segregationist Conflicts

The wine sector can be considered a mature sector in many respects; firstly, because of the long history that has shaped its regulatory framework and secondly, because of the characteristics of its consolidated market, which straddles tradition and innovation. In this context of competition, the technification of the sector and the mastery in the control of

production processes encourage the creativity of winemakers. This attitude is in line with the tastes of today's consumers, who are eager for an offer of different elaborations and unique wines.

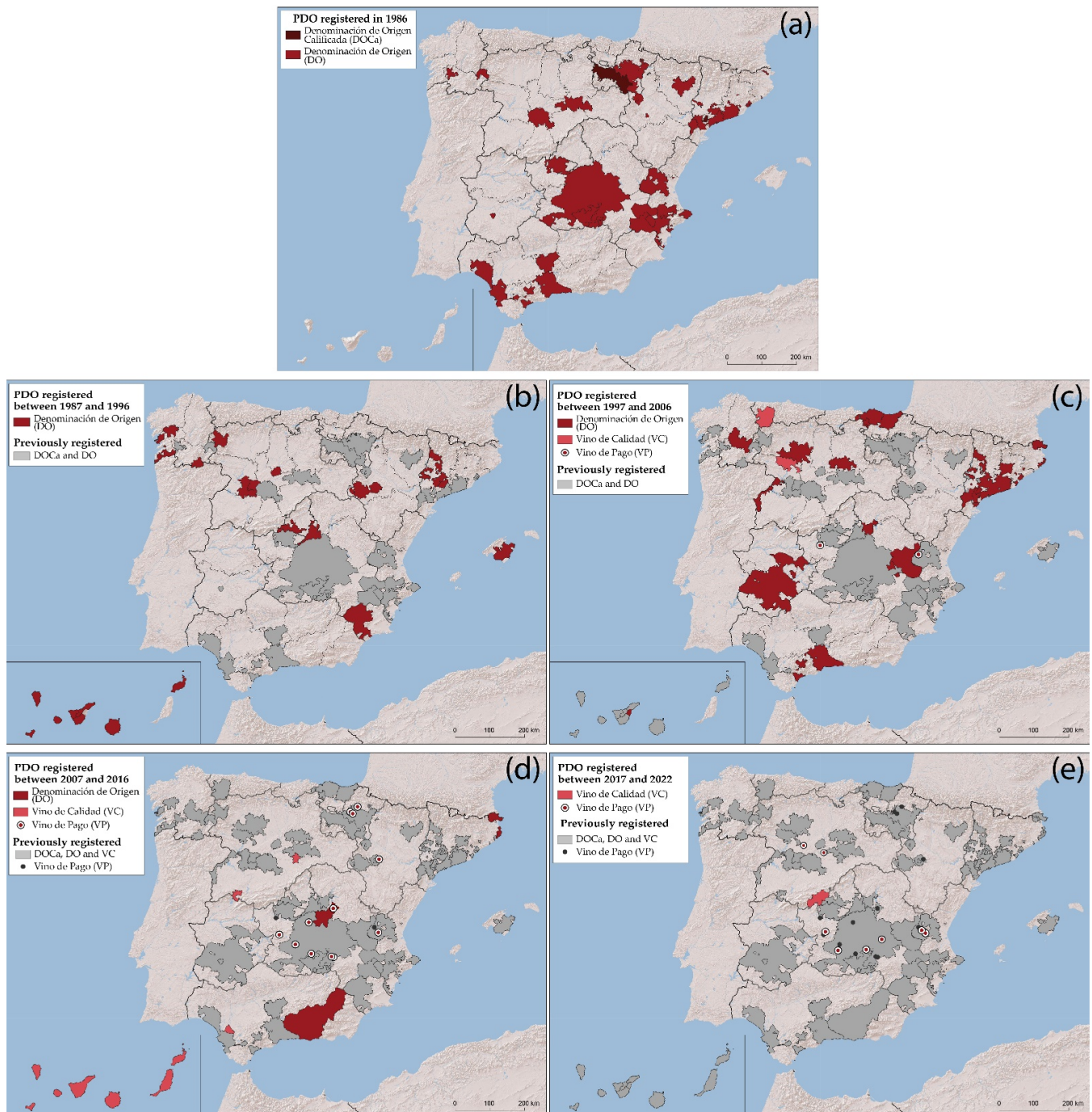


Figure 9. Evolution in the European registry of Spanish wine PDO (1986-2021): (a) PDO registered in 1986, (b) PDO registered between 1987 and 1996, (c) PDO registered between 1997 and 2006, (d) PDO registered between 2007 and 2016, (e) PDO registered between 2017 and 2021. Source: European Commission. eAmbrosia. The EU geographical indications register. Retrieved from: <https://ec.europa.eu/geographical-indications-register/> (accessed on 14 March 2022) and Spanish Ministry of Agriculture, Fisheries and Food. Own elaboration.

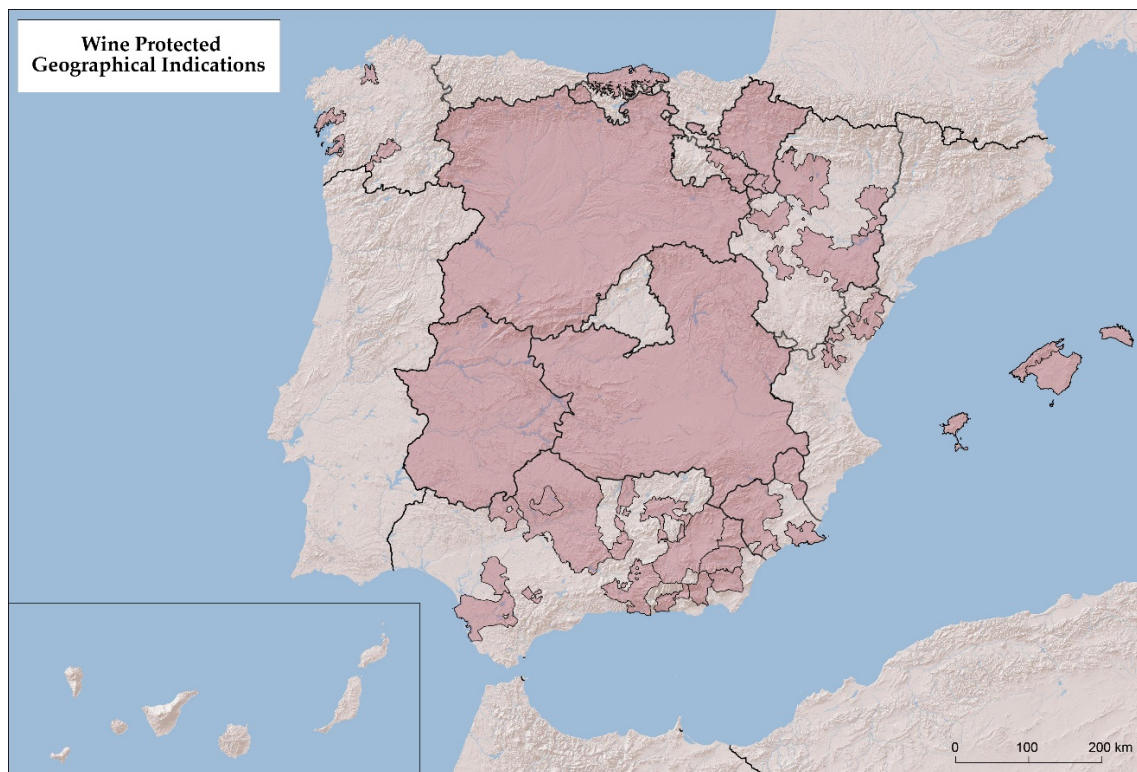


Figure 10. Spanish wine PGI registered in the European Union. Source: European Commission. eAmbrosia. The EU geographical indications register. Retrieved from: <https://ec.europa.eu/geographical-indications-register/> [accessed on 20 January 2022] and Spanish Ministry of Agriculture, Fisheries and Food. Own elaboration.

Table 2. Evolution of vineyard area and PDO in Spain.

Season	PDO—Traditional Term *					Vineyard Area for Processing (×1000 ha).		
	TOTAL	DOCa	DO	VP	VC	Total	PDO	% Sup. PDO
	No.	No.	No.	No.	No.	Spain	Enrolled Area	on Total
1986/87	28	-	28	-	-	1499.5	572.5	38.2
1990/91	32	1	31	-	-	1393.0	647.0	46.4
1996/97	51	1	50	-	-	1123.3	593.0	52.8
2000/01	54	2	52	-	-	1167.7	634.6	54.3
2006/07	73	2	66	3	2	1096.0	633.3	57.8
2010/11	90	2	70	12	6	982.8	591.7	60.2
2016/17	90	2	68	14	6	951.9	575.7	60.5
2017/18	90	2	68	14	6	953.2	570.3	59.8
2018/19	96	2	68	19	6	950.1	569.6	60.0
2019/20	97	2	68	20	7	949.6	580.2	61.1

* Key: DOCa (traditional term for Denominación de origen calificada, Qualified designation of origin in English), DO (Denominación de origen, Designation of origin), VP (Vino de pago, Single vineyard wine), VC (Vino de calidad, Quality wine). Source: MAPA. Reports “Data of the Protected Designations of Origin of Wines”. Season 2019/2020.

However, business aspirations in this sense encounter difficulties within the rigid regulatory framework established by the Regulatory Councils. The adaptive response initiated by the latter, with the incorporation of changes aimed at accommodating these demands is still limited, although inexorable, since the survival capacity of a productive and commercial model of standardized collective indication—consolidated but also questioned—depends on it.

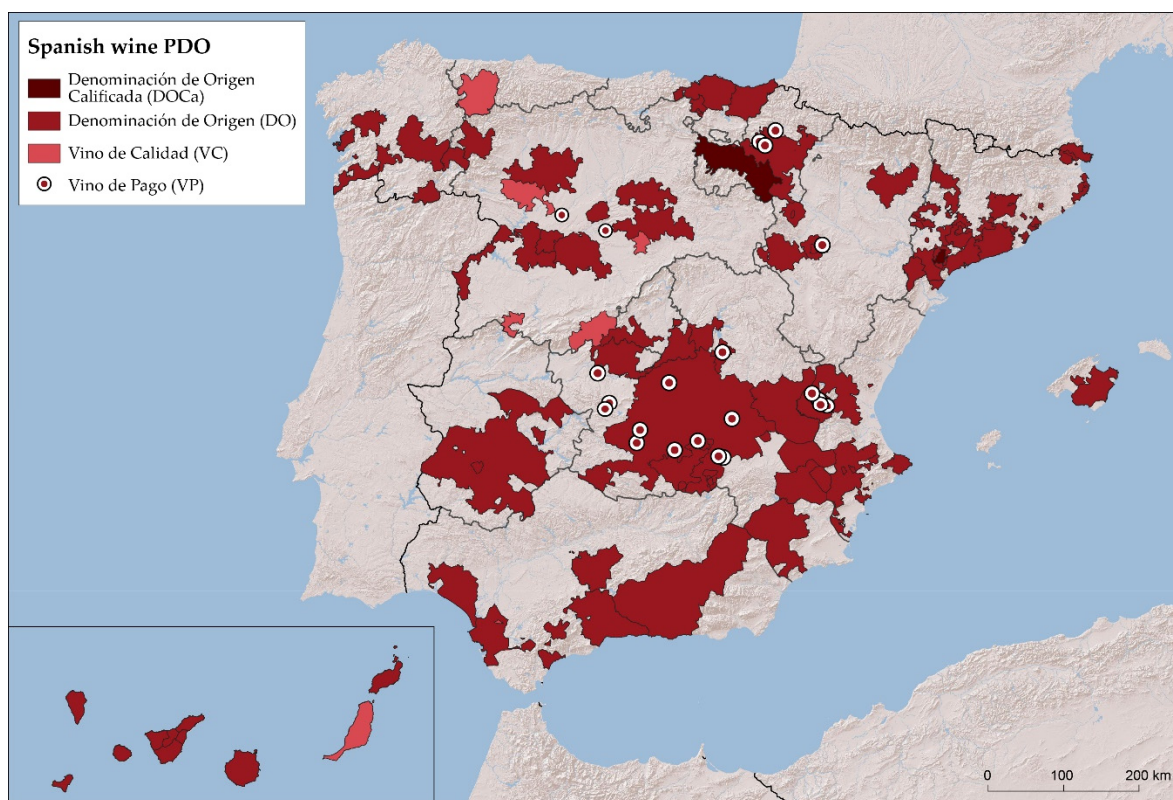


Figure 11. Spanish wine PDO registered in the European Union. Source: European Commission. eAmbrosia. The EU geographical indications register. Retrieved from: <https://ec.europa.eu/geographical-indications-register/> (accessed on 14 March 2022) and Spanish Ministry of Agriculture, Fisheries and Food. Own elaboration.

3.3.1. The Out-of-Framework Wine Revolution: Demands for an Inclusive Review of PDO Regulations

The commonly named “rebel wines” qualify for those that do not conform to the technical specifications of the specifications of a PDO or that, dissentingly, are produced in wineries located within its territory but decide to remain aside in defense of their creative independence. Those who operate on the margins are the fewest, but the phenomenon is growing among the wineries integrated into the PDO. These “signature wines”, sometimes called “artisanal”, can difficultly be classified under the traditional category of “commercial wines”, so named by the wineries seeking the distance between their canonical and majority production and that of exclusive, minority, and elitist wines.

Practice, which always anticipates the readjustment of the standard, has sought alternatives so as not to leave these references unprotected within the DO. For example, by resorting to nuanced labeling—a different color label in the case of “Rioja”—or the consent to use ambiguous labels for young wines despite being aged wines, a solution for “Ribera de Duero”. Often, these wines are destined for minority distribution in specialized places where the price premium is respected, or for direct sale in the winery in connection with wine tours. Offered as higher quality and unique wines, their high price requires an explanatory packaging that generates curiosity in the consumer and the degree of appreciation necessary to encourage the disbursement. Portia Winery (Faustino Group) in Ribera de Duero has their production divided in this way. In addition to the commercial wine (Roble and Crianza), which represents between 85% and 90% of production, there are three signature wines (Prima, Triennia, and Summa), single-varietal, from specific vineyards, first press and with unique aging and barrel-aging processes.

The so-called “orange wines” from Galicia are also part of this discordant category. White wines fermented as reds, that is, put to macerate with the skins under artisanal

and ecological elaborations. This, and so many other novel references, often arise from a return to tradition—in terms of recovery of traditional varieties, formulations, or methods of elaboration—which is not a reactionary return but, on the contrary, a reinvention of tradition through the application of the technical knowledge of current enological science. However, they have no place in PDO labeling as they fall outside its regulatory framework.

3.3.2. Micro-Territorialized Labeling

A growing differentiation strategy, which allows wineries to produce exclusive and labeled wines of superior quality, is the recognition of wine production in plots of land, under the mention of “villa”, “village”, “outdoor space”, “estate”, “unique vineyard”, etc. Due to the particular characteristics of these areas compared to others in their surroundings, the wine obtained from them is recognized as having special qualitative characteristics, which is why it adopts the traditional name of the place. In this way, the use of the name of a smaller geographical unit added to the micro-territorial reference that corresponds from among those recognized by the PDO—as contemplated in Regulation (EU) No. 1308/2013 (Art.120) [42]—advances in the overcoming of generic designations without these ceasing to be the referent. This possibility is of particular importance in winegrowing areas of contrasting relief, where the variety of soils, altitudes, and exposures give rise to a noteworthy plot diversity [53]; in addition to these variables, others such as the age of the vineyard, the form of planting, etc., are added. In all cases, the requirements to be met are restrictive, with the implementation of integral traceability systems in the production process. However, it is precisely this exclusivity that opens up the possibility for wineries to materialize, within the scope of a DO, their enological concerns in order to market wines with a differential label.

These formulas for differentiating origin within a PDO have a long history in some of the main European PDO. For example, the “Bordeaux” PDO, which is divided into five subregions, is home to dozens of specific names. In Burgundy, the compartmentalization of the territory into *climats* gives rise to a recognized differentiation. In Spain, the DOC “Priorat” stands out as an early advocate of this micro-territorialized nominal differentiation, with the mention of “vino de finca” (since 2006) and different sub-zones of “vinos de villa”. Its successful track record has served as an inspiration to others, such as the DO “Bierzo”, which has recently incorporated the figures of “Vino de Villa” and “Vino de Paraje”. The latter, in turn, is qualified with the indications of “Classified Vineyard” or “Classified Great Vineyard,” all of which are subject to strict traceability.

3.3.3. Regulatory Changes in the PDO and Their Reflection in the Specifications in View of the Strategic Changes of Wine as an Indicated Product

In an attempt to respond to the demands for greater productive freedom to allow greater experimentation and originality to wineries in their productions, we have recently witnessed a process of modifications to the specifications. These changes refer to three issues. On the one hand, the extension of the list of permitted grape varieties, some of them traditional but relegated, whose recovery is seen as a way to enhance the value of the winery’s own agricultural heritage. This allows the production of new single-varietal wines or those resulting from new combinations in the search for their nuances, or on the other hand, the expansion of references with the inclusion, under the DO, of white, *rosé*, or *claret* wines with a greater or lesser production tradition, but with a commercial background. The wines thus grow in variety and are refined in the offer, adapting to a market that seeks quality and novelty. Thirdly, the DO is incorporating this micro-territorialized internal diversification. This is a model that the recently created DO incorporates from the outset. Such is the case of the Avila PDO QW “Cebreros”, registered in 2019, which allows for the wines under its protection making use in the labeling of the optional indications of “village wine”—for all municipalities—and the supramunicipal “Sierra de Gredos”, “Valle de Alberche”, “Valle del Tiétar” and “Valle de Iruelas”. Clearly, the balance between the

PDO territorial indication as a general reference and the freedom for differentiation within its margins is being internalized.

3.3.4. Vinos de Pago (Single Vineyard Wines) and Their Growing Prominence among PDO Modalities: Natural Evolution or Conceptual Contradiction?

The differentiation of micro-territorialized wines acquires a different dimension with the categorization of *Vinos de pago*, VP, (Single vineyard wines) as the traditional term recognized to be used in place of PDO [41,42]. In the European register, this term designates “a place or rural site” (not a region or county area) “with particular soil characteristics and a microclimate that differentiate it from others of their surroundings...”, of small and defined size; “. . . the extension cannot be equal nor superior to none of the municipal terms in whose territory or territories, if they are more than one, it is located...” [30].

In Spanish, the term *pago* (vineyard) was originally associated with the areas of production and aging of wines covered by a DO. As stated in Law 25/1970, Art. 81.1, the term could come from the names of the districts, districts, localities, and *pagos* that compose it [39] or be used, like other terms mentioned, as a sub-denomination for the protected wines, if so contemplated in the DO Regulations (*Ibidem*, Art. 81.2). However, currently, in the field of intellectual property, the nominal and legal confusion surrounding the term *pago* is notable in the wine sector, since it not only has aptitude as a distinctive sign but also designates different realities: it is present as a DO, as a nominative trademark—both individual and collective—and as a trademark, with a large number of registered trademarks that included this term prior to the legislative regulation as a wine DO [54].

In the context of the current DO sphere, the VP refers to a continuous area of land traditionally aimed at the cultivation of vineyards, with soil and microclimate characteristics that distinguish it from other adjacent areas, and which corresponds to a single trademark. This is the first remarkable novelty: the VP is a type of PDO that lacks the collective character traditionally associated with indications of origin. This unique feature is the most antithetical manifestation of what a geographical indication used to signify and represent, that is, a collectivity that presented itself commercially under its protection. In contrast, the VP alludes to itself, presenting a singularity of origin that allows it to establish its specificities, its rules, and business strategies on the basis of a Regulatory Council of which it is the sole party and sole guarantor. This represents a radical change since the privatization implied by assimilating a DO to a single trademark makes it indistinguishable from the registered trademark, which can lead to a conflict of interests since the same geographical indication covers very different realities and forms of operation; from the classic modality of being subject to the rules set out in a set of conditions of collective compliance, increasingly contested internally as rigid, to the individualistic formulation of the specifications of a VP, where the concept of the rule is more comparable to that of a commitment acquired by the only winery that holds the ownership of this type of PDO to freely configure the specificity of the wines produced and to protect their quality in those terms.

The fact that, in Spain, the VP is a booming PDO modality is directly related to the differentiation drift internalized in the wine sector, and which, in this case, is taken to the extreme by means of “self-determination.” The nominal protection of origin becomes individual and compact: the unitary winery, its territory, and its specifications.

This type of indication of origin is present in Castilla-La Mancha (12 VP of 20 PDO), Valencian Community (4 VP of 7 PDO), Navarra (3 VP of 4 PDO), Aragón (1 VP of 5 PDO) and Castilla y León (2 VP of 14 PDO). In the rest of the territories, this modality does not appear (Figure 11). However, this figure of protection may become a future choice to achieve the individuality sought by some big wineries or renowned municipalities that already have the prestige and do not wish to be subject to any superior entity, thus preserving their creative independence and a powerful and integrated offer, often with a clear high-level enotourism focus, with the landscape as an important element within it.

The reasons for this are thus diverse. On the one hand, there is a desire to break away from the homogeneity and low prestige traditionally associated with some DO due to their extension, large production, and maturity in the market (La Mancha) or because of their unspecific nature (PGI Castilla y León), which makes them excessively generic references. In other cases, the option to be independent arises from frustration at the refusal of the neighboring DO to extend its limits, as in the case of Ribera de Duero and its reluctance to extend its territory to the west.

Such is the case of Castilla y León, with 14 PDO (10 DO and 4 VC) and 1 PGI (VT), which registered two *Vinos de Pago* in 2021 y 2022—“Urueña” (Urueña/78 ha) and “Dehesa Peñalba” (Villabañez/91.4 ha.). Another PDO under this figure is in the process of being processed in the European registry with the right to use that traditional term: “Abadía de Retuerta” (Sardón de Duero/560.5 ha.). All the above belong to the province of Valladolid.

The case of Abadía de Retuerta clearly illustrates the aforementioned evolution and the paradigm shift towards the exclusivity provided by this type of protection figure. The estate is a round agricultural preserve in the municipality of Sardón de Duero, located in the Duero Valley, bordering the Ribera de Duero DO, but not included in it. When the farm began to plant vines and produce wine, the winery unsuccessfully applied to join the DO and was forced to market its wines under the label of *Vino de la Tierra*, under the unique PGI of Castilla y León. The project was then consolidated and grew and diversified focusing on elite wine tourism, with the recovery of the historic building of the Abbey for the installation of a luxury hotel. The winery, which is both a reception area for visitors and a tasting room, sells a variety of “artisanal” and “winemaker’s” wines coming from the diversity of wine grapes grown on the property. It is a qualitative leap towards the exclusivity and quality of wines whose offer is based on the freedom and personality of their elaborations. Following this trend, the winery is striving to achieve its own DO under the *Vino de pago* modality. Landscape and distinctive characteristics linked to the terroir and personalized elaborations are incorporated into the discourse of the VP, in addition to productive strategies in the balance of nature, as is the case of the VP “Dehesa Peñalba”, with organic farming practices as a sign of identity.

4. Discussion

4.1. On the Growing Importance of Protection Figures by Origin and Their Evolution

This paper emphasizes the role of geographical indications as a reference for the product that anticipates the differential value of its quality and the importance of its protection. The regulation of the product by origin plays a key role since the indication is not only endorsed by geographical belonging, but also by the common production standards that identify it. This paper contributes to highlighting the regulatory importance of protection and its evolutionary configuration from a two-fold perspective. On the one hand, prevention and defense against fraud and, on the other, positioning of the product in the markets based on its singularity granted by the territory it belongs to.

As for the review of the legal framework that protects the PDO and PGI figures, the different spatial scales have been considered, taking Spain and its context as a case study: global, supranational (EU), national (Spain), and subnational (autonomous). This underlines the regulatory complexity in which these figures operate and the need to assert the claim of the local territory they represent, ensuring its protection and worldwide recognition. A regulatory structure that can be followed in other world scenarios, as it reproduces their complexity [55,56] and requires consensus among supranational bodies operating in the economic context of regionalized globalization [57].

The exploitation of the information contained in the EU geographical indications register shows the upward trend of the European wines, agricultural products, and foodstuffs covered by this type of protection by origin. The same positive evolution is observed globally in the 133 countries included in the worldwide registration system for geographical indications, within the WIPO-Global Brand Database [58].

Among agricultural products, wine, due to the early recognized link of its characteristics to the territory, is the first of the agri-food products to be geographically indicated and, as a strategic export product, the first to stimulate the creation of a regulatory framework for the protection of the name and integrated control of the production process. The area of origin, with its edaphic, climatic, and cultural singularities, gives the wine its quality which represents its territorial indication as a sign of specific quality.

However, in their evolution, the regulatory framework of the DO has shown a maturity that has turned them into rigid control structures, focused on ensuring the homogeneous and recognizable quality of the territorial indication they represent. Thus configured, there is little room for internal diversification based on winemaker innovation. Hence, without losing their regulatory function, they have incorporated new ways of covering these aspirations for differentiation. An analysis of the recent changes that the Regulatory Councils of the Spanish PDO are incorporating in order to accommodate the innovation demanded by winemakers shows two complementary ways of adaptation: (i) a longer list of allowed grape varieties, less rigidity in the required proportions of the different types of varieties and types of winemaking; (ii) greater importance to the *terroir*, labeling with reference to smaller geographical units.

These ways open to differentiation within wine PDO are a common strategy in many European cases. The strength of the collective brand serves to protect the diversity of the *terroir* and the know-how of the wineries, highlighting the uniqueness of the individual brand linked to the name of the collective territorial brand. This is a fact among the most prestigious PDO (Burgundy, Bordeaux, Tuscany, etc.), where the collective name is a guaranteed reference for the complexity and confusion generated in the consumer by the signs of internal distinction [59–61]. However, this is also the case among the lesser-known PDO, as the comparative study by Riviezzo, Garofano, and Granata of two second-tier winegrowing areas in France (Pic Saint-Loup) and Italy (Sannio) concludes. In these areas, the distinctive valorization of the *terroir* and the wineries is part of the strategy to amplify the regional PDO [62].

However, in Spain, as a result of this evolution and maturity, a third way for PDO is making its way. The collective geographical indication is being questioned when, in the search for innovative references and wines with personalized nuances, the normative subjection loses interest as a commercial guarantee, leading to splitting processes such as those carried out by the Spanish traditional term *Vino de pago*, VP, (Single vineyard wine), used in place of PDO. This term designates a place or rural site of small and defined size equal nor superior to none of the municipal terms in whose territory or territories it is located [30]. The resulting figure of protection is an anomaly among the other traditional terms protected in the EU for wine (377), as it elevates the productive area of a single winery to the territorial status of PDO.

This paper stresses this exceptional figure, which is foreign to the collective nature of the territorial trademarks and has been increasing in recent years to represent 23% of the current Spanish PDO.

This paper gives ground to other lines of research stemming from an evolutionary and comparative perspective. The wine sector evolution that this paper explores could be further projected in the drift and demands for regulatory flexibility of other foods with geographical indication, which would lead to a thorough observation of the changes in perspective and the course of the adaptations underway within the wine DO.

4.2. On Geographic Indication Figures and Their Effect on Territories: The Landscape as the Brand Image for Wines

However, the ultimate value of the territorial indication goes beyond that if we take into account the shadow it casts on the territory [63]. The indication of origin implies a reinvention of places [64], which is a two-way statement for wine territories protected under a geographical indication. First, the territory is taken as a quality attribute to commercially position a wine based on its origin; secondly, the fame achieved by the product—the

wine under designation—becomes a promotional element for the territory itself, which is reinvented in its aesthetics and offered as a resource under multiple forms linked to wine tourism. We can speak of a commercial amplification strategy that, based on the territory as an argument of distinction, finally exerts on it a return effect that contributes to improving its image—landscape—and to diversify its potential contribution to the local economy—enotourism and further synergies. Thus, the winemaking activity developed in situ, fosters the emergence of new business formats and approaches that round off the prestige of the indication and contribute to the development of tourism. The basis of this contribution is the territory as an object of attention and its specialized content linked to wine, together with other recognized heritage assets and values. Landscapes and wineries give consistency to an offer of wine routes, visits to wineries and wine tastings, wine museums, festivals, shows, etc., which serve as a stimulus to the appearance of hotel and catering services [65,66]. Undoubtedly, this is a whole system of new options for the territory due to the return of values that wine incorporates and which contributes to this complex reinvention of the territory. As Caligiuri and Baquero [67] point out, the geographical indication is a state policy, a social construction of the country based on the globalization of what is ours.

In this back-and-forth process, it is worth asking what part of the territorial wine indication, once consolidated, is based on the objective factors that the territory yields to the wine, and what part of it is constructed from the semiotic discourse that is added to the name of the place as the wine consolidates as a prestige product. The geographical name of the wine indication connoted by the prestige of the wine becomes reciprocal: the territory gives prestige to the wine and the wine gives prestige to the territory.

The wine case could be extended to many other agri-food products with an indication of origin, since, for most of the products geographically indicated, the allusion to the territory is usually an abstract name in the consumer's mind. It works as a reference of quality that hardly evokes any distinctive spatial characteristics that acknowledge its uniqueness. Thus, the territorial label is ultimately limited in its purpose. It is precisely at this point where the landscape, the expression of the territory as a productive context, can be claimed to raise to a higher level the understanding of the product and therefore increase its value. This is precisely what Macías Vázquez calls the social construction of food quality in distant markets, from a territorial appropriation based on production/consumption knowledge-generating value [68]. In short, the territory, as a distinctive support of quality and character of the geographical indication, becomes a landscape when the quality and prestige achieved by the product is returned and vindicates it as a brand image. This is yet another aspect of the multifunctionality associated with territorialized agricultural systems.

This multifunctionality, which the prestige of wine brings to the territory through its territorial anchoring, opens up future lines of research on the potential of other food products protected by origin to develop integrated and multifunctional systems that give greater value to the territory and raise awareness among producers and consumers. Undoubtedly, the geographical quality figures have a secondary derivative on the territory that goes beyond mere production.

5. Conclusions

The study of the regulatory framework of geographical indications and their formation process, taking as a case study the wine sector in Spain, has revealed its maturity in many aspects. In addition to the tendencies of readjustment, prone to admit the internal productive diversity demanded by the wine sector, the dividing and individualistic pattern exerted by the Spanish *Vinos de pago* with PDO status needs to be considered. This gives rise to an unusual way of understanding the territorial brand. The nominative tradition of this figure ceases to be a collective reference and becomes individual. In these differentiation processes, the territory has to amplify its referential discourse, claiming the *terroir* and its image, the landscape before the consumer. This gives rise to new functions of the territory linked to the landscape and its enhancement through wine tourism.

If the area of origin gives rise to the product's geographical indication, the market ennobles it and returns it to its territory reinforcing its landscape, heritage, and wine culture. This double interest in the territory, as a trademark and wine tourism scenario, goes hand in hand with a trend of searching for references that allow trademarks to create unique wines within the DO in which they are integrated.

Agri-food geographical indications, and those of wine in particular, are a great asset for the territory. At a time of decisive transformations and change in the rural paradigm, where the classical functions linked to agriculture converge and, at times, confront other new industrial and tertiary functions projected from the urban context, the distinctive quality of agricultural production is valued on the rise. New interests fall to the territory and compete in it. However, the agricultural activity is consubstantial to the rural and should not vanish in this competition, but rather prosper within it. In this context, quality figures such as PDO and PGI contribute to generating territorialized and sustainable production schemes whose added value, beyond the product, has a multifunctional dimension: physical on the territories, which become landscapes; strategic for the development of rural areas; and social to strengthen among producers and inhabitants the pride of belonging to the place.

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