



**Day 2: Regional biotrade collaboration (marula)
19 September 2025**

Growing Southern Africa's Marula Industry through regional collaboration, sector development planning, geographical indication advancements, and market access with EU Novel Food application.



Towards Regional Protection of Marula:

Legal and Strategic Considerations for a Trans-Border Geographical Indication

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A wooden bowl filled with yellow Marula fruits is on the left side of the image. A glass dropper with a drop of oil is positioned in the center, pointing towards the bowl. The background is a wooden surface.

Why Marula Matters

Cultural and Economic Importance

Marula holds deep traditional value & supports local economies across Southern Africa through diverse uses

Diverse Applications

Marula is widely used in food, cosmetics & beverages, showcasing its versatility & market potential

Geographical Indication Protection

GI protection would enhance Marula's value, promote fair benefit-sharing & safeguard global reputation

What is a Geographical Indication (GI)?

Definition of GI

GI is a sign used on products with specific geographical origin and unique qualities tied to that region.

Nature of GI Rights

GIs are public, non-transferable rights collectively held by producers and regulated by authorities.

Difference from Trademarks

Unlike trademarks which are private rights, GIs are collective and protect regional product identity.

Benefits of GI for Marula

Establishing GI for Marula recognises unique traits and protects it from misuse, boosting market value.



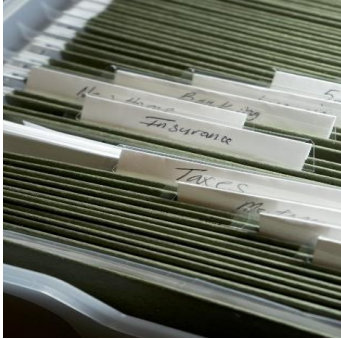
Countries Involved and Legal Frameworks

COUNTRY	LEGAL FRAMEWORK	REGULATORY AUTHORITY	KEY FEATURES
South Africa	Agricultural Products Act; Trade Marks Act; Liquor Products Act; Merchandise Marks Act	CIPC; DOA; DFFE	GI-specific for wines, spirits and agricultural products; certification/collective marks
Botswana	Industrial Property Act	CIPA	GI law; collective marks
Zimbabwe	Trade Marks Act; Geographical Indications Act; Merchandise Marks Act	ZIPO	GI law; certification/collective marks
Namibia	Industrial Property Act	BIPA	No specific GI law; certification/collective marks

Stakeholders and Roles

STAKEHOLDER	RESPONSIBILITY	KEY ROLES
NPG (per country)	Associations of producers	Maintain operator list; trainings & guidance; liaise with national authorities & auditors; formal GI applicant
SAMPA	Umbrella body for NPGs	Establishing constitution; membership rules; voting & quality compliance; convene technical working group; draft product specification & map; international registration
CAB (per country)	Independent conformity assessment	Audit/inspect producers; check traceability; sampling & testing; certify compliance
MOC	Joint governance/coordination	Coordinate certifications; handle escalations; approve changes
National Authorities	Public oversight	Designate/oversee CABs; ensure controls; participate in MOC; support enforcement

Pathways to GI Registration



Independent Registration

Each country files separately using a shared product specification for Marula GI registration



Joint Registration

A single umbrella organisation coordinates the application to harmonise & streamline the process



Benefits of Joint Registration

Improves efficiency, coherence, shared governance & strengthens collective product identity

Challenges and Risks

Legal Fragmentation Issues

Lack of unified GI laws, especially in Namibia, complicates legal harmonisation

Coordination and Governance

Effective trans-border coordination requires strong governance and consensus among multiple countries.

Financial & Administrative Burdens

Certification costs & stakeholder engagement pose significant financial & administrative challenges

Political Will and Inclusivity

Political commitment is essential while ensuring inclusivity to prevent dominance by larger producers.

Recommendations for Implementation

Institutional Formalisation

Establish NPGs & SAMPA with clear governance to ensure structured management

Regional Harmonisation

Standardise product specifications & control mechanisms across countries for consistent quality

Legal Registration

Secure national legal registrations

Funding Sustainability

Ensure funding for certification, application preparation & administrative operations



Thank You!

Comments & Questions