

A label for bicycle chicken? Time to ask some questions!



"It's unrealistic to think that applying a geographical indication will allow producers to sell their product for "two or three times the price", but people are still saying this."

- Niger National Network of Chambers of Agriculture, 2013.

"A geographical indication without a market cannot survive."

- African Union, 2019

GRAIN is currently carrying out research into geographical indications (GI), an intellectual property system regulating the names of agricultural or food products which gain their qualities or reputation from their geographical origin (*terroir*). A GI is a collective exclusive right: all producers in the area which it covers can use it if they follow a common set of rules.

This right was created by the Europeans with the aim of establishing and protecting a monopoly on certain products (champagne, Roquefort, scotch whisky) and preventing counterfeiting. In fact, Europe puts pressure on all of its trade partners to adopt this system, in order to compete with the United States, which uses and promotes the trademark system to protect the same products. Beyond the WTO (World Trade Organisation), the two powers do battle through bilateral and multilateral free trade agreements.

There are different types of GI, some more strictly linked to a geographical region than others. This link supposedly provides benefits in terms of rural development (encouraging villagers to stay put, possibility of generating income), but these results are not guaranteed. GIs can fall into the hands of industrialists or mafias (e.g., Darjeeling tea in India or mezcal in Mexico). They may also serve foreign interests instead of the local market (e.g., Kampot pepper in Cambodia). They can lead to products becoming

inaccessible by all but the elite, due to high prices, whilst this income is not passed on to the producers. They can also exacerbate pre-existing conflicts around products claimed as part of national heritage by different states (e.g., pisco claimed by Chile and Peru, hummus claimed by Israel and Lebanon, and basmati rice which comes from both India and Pakistan).

Although there are a few successes here and there, where GIs have strengthened local communities, for the most part it is a colonial system which serves extremely limited interests. Furthermore, GIs are at least partially based on privatisation of language, which is a common resource.

GIs protect a product, a type of expertise, shared heritage, etc., as part of a sales approach – their purpose is linked to the market, and they are therefore a marketing tool (to which other presumed purposes can be added, such as protection of the environment or improvement of women's status). GIs can therefore serve to further entrench neoliberalism and its associated inequalities. The most critical studies show that GIs are only “empowering” when there is true collective governance of the process (definition of labelling criteria, specifications, traceability systems, etc. – the whole process and its management) right from its origins.

A label for bicycle chicken?

On 5th July 2021, the government of Burkina Faso announced the launch of a project to provide a label for “bicycle chicken”. According to the government, the aim of this label is to protect local Burkina Faso chicken from imported broiler chickens, which when crossed with the domestic chickens threaten to wipe out the local breed. “It was important for us to work on safeguarding the “bicycle chicken” name, which is specific to Burkina Faso”, stated the Minister for Livestock Modeste Yerbanga. He emphasised that the process would be completed very quickly – within three months. The label will be available for chickens which comply with a set of standards, including the breed of the animal, veterinary products used in moderation, feed composed partially of food waste, and access to outdoor space.

Whether under a label or a name, we understand that the government intends to file an application for intellectual property rights on these chickens. The Director-General of the National Centre for Industrial Property, at the Ministry of Commerce, confirms this: it will take the form of either a geographical indication, or a collective trademark.¹ Whichever legal form is chosen, we understand that the application will be filed with the OAPI (African Intellectual Property Organisation) to be applied directly in the 16 member countries (see inset). However, this raises a great many questions!

Firstly: As far as we know, it should not be possible for “bicycle chicken” to be a geographical indication. It should be “bicycle chicken from one region or another”. The name must be linked to a well-defined area, which gives the product its qualities, due to the soil, the climate or topography, or its reputation, based on the expertise of the producers.

Secondly: Poultry known as bicycle chickens exist throughout Western and Central Africa, from the Central African Republic to Senegal. It is a generic, common name, which represents a very broad heritage. How can it be attributed to just one country?

¹ Mahamadi Tassebedo, in direct communication with GRAIN, on 3rd August 2021.

Thirdly: Would a certain breed be protected? If so, which breed? Is bicycle chicken a breed, in terms of genetics, a population, a strain, or something else?² In seeking to protect and promote a breed of animal, there is a risk of promoting its industrialisation, i.e., investments in a uniform production system to maintain its purity. This is even more likely with a GI, a label, an appellation, or a trademark, which will automatically bring added value to this type of chicken and attract investors.

Fourthly: Yes, labelled chicken will generally be more expensive for consumers. This is an intrinsic element of labelling: producers are paid for a quality product. But wouldn't this risk serving the interests of the well-off classes to the detriment of poor populations? Indeed, the African Union's "GI" strategy acknowledges and accepts this as inevitable. Livestock farmers in Burkina Faso are already suggesting that in fact it is they who should be protected and supported with fairer prices, in view of the production costs.

Fifthly: This initiative taken by the government is an example of the system operating the wrong way round. The basic concept of the GI and trademark system is to protect producers, i.e., local farmers. The idea is that it is these people who are supposed to organise, propose, and claim a GI.

What are the differences between a geographical indication and a collective trademark? A GI is a collective right which protects the name of a product (linked to a region) to prevent counterfeiting. It is accessible by all producers who are part of an association or other group in the region and comply with the standards. A GI cannot be sold, and it has unlimited duration. A trademark, however, is a private right belonging to a specific group of producers, used to distinguish a specific product in order to protect the consumer. It lasts for a renewable 10-year period, and can be transferred or sold.

Inconsistencies?

The government of Burkina Faso claims to want to "preserve and improve" native chicken, protecting it from imported breeds. However, the Bill and Melinda Gates Foundation has been investing for years in a programme to interbreed Burkina Faso chickens with French chickens to increase their productivity. Via the project "*Poulet de Faso*" (Faso chicken), the billionaire couple donated USD 7 million in 2015 to CEVA and SASSO, two French companies, to undertake this breeding programme and develop "mixed-breed" chickens for Burkina Faso.³ Under the project "Sustainable access to poultry parental stock in Africa", they also provided USD 9 million to SASSO, which is now part of Hendrix Genetics (Netherlands), in order to create dual-purpose breeds (eggs and meat) for Burkina Faso. The Gates also fund the World Chicken Foundation (USA), which works with the multinational pharmaceutical group Merck to develop the veterinary products necessary to raise these "improved" chickens in Africa. All of these projects include trial and adaptation phases on local farms in Burkina Faso. It's hard to believe that the Burkina Faso authorities were not aware of this.

The same process is underway in Ethiopia, where the Gates Foundation has investments in an industrial group called Ethiochicken. This group was co-founded in 2010 by an

² In most countries, a GI is refused if this is already the name of a breed of animal or plant variety, as this could lead to confusion.

³ It should be noted that breeding takes place in France, to avoid sending cocks to Africa in order to protect their "intellectual property" (the elite bloodlines).

American, David Ellis, who was visiting the country and, having never seen a chicken before, was surprised that “there are 15 million small agricultural holdings in Ethiopia using undefined breeds which do not produce enough eggs!”. He consequently set out to become the “leader of the traditional poultry sector in Sub-Saharan Africa”. Ellis has also worked with SASSO to cross French chickens with Ethiopian chickens. Ten years later, his group is now the biggest producer of day-old chicks and poultry feed in the whole of Ethiopia! To enable this, Gates provided him with a grant of USD 7.8 million in December 2015, via AgFlow Poultry, a holding which manages the group from the tax haven of Mauritius. Seeing that chicken is becoming big business in Africa, the World Bank, the Finnish government, and private equity firms are now rushing to invest in Ethiochicken too.

The same scenario, or almost, is also playing out in Tanzania, where Silverlands Tanzania Ltd, supported by Alliance for a Green Revolution in Africa (funded by Gates), has become one of the biggest producers of day-old chicks in the country thanks to an exclusive contract to market the SASSO breed, and the biggest producer of chicken feed in Eastern Africa. Silverlands is also funded by the private equity firm SilverStreet Capital, which states that before the creation of the company in 2014, “Tanzania’s poultry sector was hampered by bad genetics”.⁴

There is a clear contradiction here. There is a choice between protecting native chickens, or agreeing to work with Gates to replace them with supposedly “better performing” strains. It is impossible to do both at the same time!

Local livestock farming and food sovereignty

This initiative taken by the government of Burkina Faso, whilst offending many and resurrecting the spectre of past conflicts⁵, does have one positive effect. This is that it opens an important debate on the future of poultry farming in Africa, and on this important food threatened by industrialisation. It would be better to use other means of promoting farming of native chickens by small producers, rather than exclusive appropriation of the name or intellectual property (a colonial/Western instrument), or of the market. Voluntary “labelling” to make a product known can be useful, as can collective food sovereignty projects which bring people together to defend a product, for example. But it should be ensured that access to the label (awarding) is not monopolised by large companies such as AgroTOP, an Israeli company which installs large-scale poultry rearing infrastructure in Nigeria and Ivory Coast, or the genetic manipulation projects prized by Bill and Melinda Gates. Otherwise, we will see a recurrence of what happened in the region with the Galmi Violet onion.⁶

Defending, protecting, and promoting “bicycle chicken” and small-scale livestock farming in general is a good cause. There are a host of measures which could be useful to do this: a ban on imports, policies promoting local chicken, support for producers (price regulation,

⁴ Silverlands Tanzania <https://www.silverlandstanzania.net/> and SilverStreet Capital <https://www.silverstreetcapital.com/poultry-and-feed>.

⁵ In 2019, a prize was awarded to a product named “Faso Attiéké” in Burkina Faso, which led to an outcry in Western Africa. Attiéké, or cassava semolina, is a staple food in many countries, particularly Ivory Coast. The word also comes from “adjèkè”, from the Ebrié language in the south of the country. How can anyone claim ownership of it?

⁶ The Galmi Violet was selected in Niger and spread across Western Africa. In view of its popularity, Tropicasem, the Senegalese branch of a French company, attempted to register plant breeder’s rights with OAPI. This caused uproar in the region, and the company eventually did not succeed, but the damage was done. Niger cannot claim the name, and commercial seeds sold under the name “Galmi Violet”, but which are actually from South Africa, are still in circulation.

tax measures, provision of infrastructure, etc.).⁷ But let's not play at appropriating a name shared by all of Western and Central Africa, and let's not fall for governments trying to have their cake and eat it!

Cover photo: In many countries in Western Africa, native chickens are known as "bicycle chickens", because when they run fast, they look as if they were riding a bike! In Burkina Faso, they also bear this name due to the fact that after slaughter they are taken to market by bike or motorcycle. Regardless of the country, this name is used for local chicken as opposed to imports of broiler chickens (selected breeds) and frozen industrial chicken.

⁷ South Africa is currently developing its poultry industry with a ban on cheap imports of foreign chicken (USA, EU, Brazil). The result is that local production is increasing (up 10% per year), in spite of Covid.