

GAC Early Warning – Submittal_Bio-FR-94806

Application ID:	1-1000-94806
Entity/Applicant Name:	Starting Dot startingdot@jwgroupe.com
String:	Bio
Early Warning Issue Date:	20 November 2012

Early Warning Description – This will be posted publicly:

GAC Member(s) to indicate a description of the Early Warning being filed

Warning related the the possible use of “.bio” for products which are covered by international and national regulations related to organic farming (“agriculture biologique” ou “bio” in french) and would not meet the requirements of this regulation. Risk of consumers/internet users to be mislead.

Reason/Rationale for the Warning – This will be posted publicly:

GAC Member(s) to indicate the reason and rationale for the Early Warning being filed.

The European regulation, regulation (CE) n°834/2007 protects in the UE the use of all terms referring to organic farming, including the term “bio” for all the products that are covered by the scope of the regulation (live or unprocessed agricultural products; processed agricultural products for use as food; feed; vegetative propagating material and seeds for cultivation). There are also guidelines at Codex level about organic farming and many countries also have a regulation about organic farming (USA, Japan, China, Tunisia...).

Therefore, if the use of the “.bio “ is not restricted to the products which fulfill the requirements of the regulation related to organic farming, for agricultural products (including seeds) , food and feed there is a huge risk of misleading the consumers and internet users. The same risk could apply for inputs (like pesticides, fertilizers etc etc) where the internet users may understand that such products are usable in organic farming if the “.bio” extension is used.

The use of some biotechnology (like GMOs) are also forbidden in organic farming. The use of sites like “GMO.bio” ou “OGM.bio” would be very confusing for internet users, consumers and also organic operators and organic associations.

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Possible Remediation steps for Applicant – This will be posted publicly:

Complete withdrawal of the “.bio”

or limitation to sectors which have no relation with the agricultural, food, feed sector, including inputs and biotechnology forbidden by the organic regulation.

Further Notes from GAC Member(s) (Optional) – This will be posted publicly:

INFORMATION FOR APPLICANTS

About GAC Early Warning

The GAC Early Warning is a notice only. It is not a formal objection, nor does it directly lead to a process that can result in rejection of the application. However, a GAC Early Warning should be taken seriously as it raises the likelihood that the application could be the subject of GAC Advice on New gTLDs or of a formal objection at a later stage in the process. Refer to section 1.1.2.4 of the Applicant Guidebook (<http://newgtlds.icann.org/en/applicants/agb>) for more information on GAC Early Warning.

Instructions if you receive the Early Warning

ICANN strongly encourages you work with relevant parties as soon as possible to address the concerns voiced in the GAC Early Warning.

Asking questions about your GAC Early Warning

If you have questions or need clarification about your GAC Early Warning, please contact gacearlywarning@gac.icann.org. As highlighted above, ICANN strongly encourages you to contact gacearlywarning@gac.icann.org as soon as practicable regarding the issues identified in the Early Warning.

Continuing with your application

If you choose to continue with the application, then the “Applicant’s Response” section below should be completed. In this section, you should notify the GAC of intended actions, including the expected completion date. This completed form should then be sent to gacearlywarning@gac.icann.org. If your remediation steps involve submitting requests for changes to your application, see the change request process at <http://newgtlds.icann.org/en/applicants/customer-service/change-requests>.

In the absence of a response, ICANN will continue to process the application as submitted.

Withdrawing your application

If you choose to withdraw your application within the 21-day window to be eligible for a refund of 80% of the evaluation fee (USD 148,000), please follow the withdrawal process published at <http://newgtlds.icann.org/en/applicants/customer-service/withdrawal-refund>. Note that an application can still be withdrawn after the 21-day time period; however, the available refund amount is reduced. See section 1.5 of the Applicant Guidebook.

For questions please contact: gacearlywarning@gac.icann.org

Applicant Response: