

Decree 92-340 of 1st April 1992
 Relating to the designation of origin “Monoï de Tahiti”
 (The registered designation of origin of a Tahitian perfumed oil)
 (Official journal of French Polynesia of 16 April 1992, no. 16 NC, p. 772;
 amended, OJFP of 21 May 1992, no. 21, p. 998)

Amended by:

Order 313 CM of 20 February 2008, OJFP of 28 February 2008, no. 9, p. 843

The Prime Minister,

Based on the report of the State minister, minister of economy, finances and budget and of the minister of overseas departments and territories,

Considering law of 1st August 1905, as amended, relating to frauds and adulterations in products or in services, together with the decrees implementing it;

Considering law of 6th May 1919 relating to the protection of appellation of origin, amended by law no. 66-482 of 6 July 1966;

Considering decree 69-335 of 11th April 1969 relating to implementation of article 7-3 of law of 6th May 1919 above mentioned;

Considering the documentations leading to the investigation provided for in article 7-3 of law of 6th May 1919 above mentioned;

The State Council (Finances Section) consulted,

Decrees:

CHAPTER I

Definition of the designation of origin “Monoï de Tahiti”

Article 1 – Designation of origin “Monoï de Tahiti” shall be applied to a product produced in French Polynesia, in accordance with local, loyal and constant practices, by macerating *Gardenia taitensis* (madder family, Rubiaceae) flowers that are indigenous to Polynesia, commonly called Tiare flowers in refined coprah (coconut) oil. Tiare flowers and coconut oil used to make Monoï must be harvested only in area defined in the annex of this decree.

May also enter in the composition, extracts of other plant species provided for in article 9 hereinafter, in accordance with required local, loyal and constant practices.

Designation of origin “Monoï de Tahiti” may also be completed with one of the following designations such as “Marquises”, “Tuamotu”, “Iles Gambier”, “Iles Australes”, “Iles de la Société”, “Moorea” or “Bora Bora”, when coconut oil, tiare flowers and other plant species used have been harvested in areas defined in the annex of this decree.

CHAPTER II

Conditions for producing and harvesting coconuts

Article 2 – Coconuts used for producing coprah oil must be from coconut tree *Cocos nucifera* only.

Cultivation practices employed must comply with local, loyal and constant practices.

Article 3 – Harvesting areas are to be located on coral atolls.

Article 4 – Coconuts for monoï oil are harvested at the “ripe” stage.

CHAPTER III

Requirements for obtaining and refining the oil

Article 5 – After harvest, ripe coconuts are split and kernels are extracted within forty-eight hours according to local, loyal and constant practices.

The kernels are then sun dried for at least a week with a view to reducing the moisture content to 10% of its pre-drying level before bagging.

The kernels are crushed into particles that are approximately 2 millimetres in size.

The raw oil is extracted via a single warm pressing at a maximum of 125 C°. The maximum oil yield is 63 per cent

Only following refining processes are allowed for raw oil: filtration, clay and phosphoric acid treatment, steam treatment.

Refined oil must have the following characteristics:

1° Characteristic smell, colour and taste of this product, lack of taste or foreign or rancid smell;

2° Acid number of less than 3.6 mg of potassium hydroxide per gram of oil, peroxide number of less than 10 meq of peroxide oxygen per kilogram of oil.

When oil is intended for making monoï claim an additional designation of origin as provided for in the third paragraph of Article 1 of this decree, consignments of oil must be clearly separated and identified during storage and processing.

The oil plant must hold a register of movement with origin of dried kernels entry, quantity of oil from each kernels consignment, quantity of oil shipped from the oil plant as well as their destination. Register is made available to inspection services.

CHAPTER IV

Conditions for the production and the harvest of tiare flowers

Article 6 – Tiare flowers for “monoï de Tahiti” oil are harvested when the flower is in bud, about to open and before total bloom, according to local, loyal and constant practices.

They have to be used within one day after harvest.

CHAPTER V

Conditions for making “monoï de Tahiti”

Article 7 – “Monoï de Tahiti” is obtained in accordance to local, loyal and constant practices, by macerating at least 10 tiare flowers per litre of refined oil, for at least 10 days.

Article 8 – Addition of preservatives, dyes, antioxidants, UV filters is permitted, in respect of current regulation, especially the one applied to cosmetic products.

Article 9 – In addition to tiare flowers, maceration or addition of other plant species harvested within the defined area is permitted, within conditions defined in following paragraphs.

Apart from solid substances used for maceration, all the additions permitted by the above mentioned paragraph, fragrant composition, must not be over 4 per cent of the monoï implemented.

When fragrant does not come from plant maceration in the refined coprah, “perfume” should be put on the label, with mention of the so-called fragrant.

Finished product is at least 90 per cent mass on mass of refined coprah oil in which macerated tiare flowers.

CHAPTER VI

Conditions for the designation

Article 10 – Quality criteria applied to “Monoï de Tahiti” include examination referring to oil texture, smell, cosmetic qualities and especially its ability to penetrate the skin. Commission for the control defined as follow, developed rules of procedures rating scale for the quality of the product together with sampling and control procedures.

II (paragraphs 2 to 9, replaced, Order 313 CM of 20/02/2008, Art. 1) – Quality control of the “Monoï de Tahiti” is exercised by the commission for the control of designation of origin referred to in article 9-2 of law of 6 May 1919 as amended relating to protection of designation of origin.

Article 11 – Regardless of application of legislation relating to repression of frauds and adulterations, the commission for the control may notify manufacturers and packers a notice when the “Monoï de Tahiti” subjected to control does not comply with characteristics defined by this decree and by the rules of procedures in article 10 abovementioned.

(paragraph replaced, Order 313 CM of 20/02/2008, art. 2) The commission for the control may also propose a decision to suspend the right to designation of origin, within conditions provided for in article 9-5 of law of 6 May 1919, as amended, relating to protection of designation of origin.

Article 12 – To permit control of quality and origin of “Monoï de Tahiti”, manufacturers and packers must update, within the conditions of the rules of procedures provided for in abovementioned article 10, a register of movement of refined oil, tiare flowers and other plant species used as well as the monoï oil produced or any equivalent accounting document.

Article 13 – Product after maceration and before any adjunction pursuant to articles 8 and 9 abovementioned, must have the following physico-chemical characteristics:

- 1° Density at 20°C: 0.910 at 0.920 kg/l;
- 2° Melting point: 24 to 26°C;
- 3° Acid value: < 5mg potassium hydroxide per gram of monoï;
- 4° Saponification index: 240 to 270 mg potassium hydroxide per gram of monoï.

Article 14 – “Monoï de Tahiti” can be held for sale, put to sale or sold, solely if designation “Monoï de Tahiti”, completed with one of the designations provided for in paragraph 3 of article 1 abovementioned and followed with “designation of origin” is clearly specified on containers, packages, commercial documents and advertisements, or risk losing the right to designation of origin.

CHAPTER VIII

Various provisions

Article 15 – It is prohibited to hold for same, exhibit, put to sale or sale under any name including a complete or partial reference to designation protected under this decree our any name evoking area defined with a term, a font, an illustration or an hint, any cosmetic products if the following conditions are not respected:

- 1° All the coprah oil entering in the composition of the product is to be constituted with monoï benefiting from the designation of origin;
- 2° As for products in which composition enter several types of oil of plant origin, quantity of monoï under the designation must be at least 30 per cent of all of these oils;
- 3° According to the type of product, quantity of monoï used benefiting from the designation of origin must equal at least the following values, in density percentage:

- a) Products for the bath and the shower (salts, cream, foam, gel) including shampoo, oil not included: 0.3 per cent;
- b) Soap: 30 per cent;
- c) Other bath or shower products: 1 per cent;

- d) Oil for the bath or the skin, sun oils included: 50 per cent;
- e) Products for the skin (cream, emulsions, lotion, gel) including dry oils, oils for the skin not included, depilatories, hair cosmetics, make-up products, bases and products intended to be applied on the lips not included, cleansing products, products for intimate hygiene, sun products sun oils not included, products for tanning without sun: 1 per cent
- f) Bases and products intended to be applied on the lips: 2 per cent.

Labelling of the products must show percentage of “Monoï de Tahiti” in the product.

Article 16 – This decree shall apply to overseas territories.

Article 17 – The State minister, minister of economy, finances and budget, the minister of agriculture and forestry, the minister of overseas departments and territories, the minister delegated to industry and foreign exchange and the minister delegated to crafts, commerce and consumption, each in those matters that concern them, shall be responsible for executing the present Order, which will be published in the Official Journal of the French Republic.

Established in Papeete, on 1st April 1992.

Edith CRESSON

By the Prime minister:
the State minister, minister of economy,
finances and budget
Pierre BEREGOVOY

The minister of agriculture and forestry
Louis MERMAZ

The minister of overseas departments and territories
Louis LE PENSEC

The minister in charge of industry and foreign exchange
Dominique STRAUSS-KAHN

The minister delegated to crafts, commerce
and consumption
François DOUBIN

ANNEX

(Official Journal of the French Polynesia of 21 May 1992, no. 21, p. 998)

Definition of the geographical area of the designation of origin of “Monoï de Tahiti” and geographical areas of additional designations provided for in article 1 of this decree:

Monoï de Tahiti

Tuamotu archipelago

Communes of:

Anaa	Napuka
Arutua	Nukutavake
Fakarava	Puka Puka
Fangatau	Rangiroa
Hao	Reao
Hikueru	Takaroa
Makemo	Tatakoto
Manihi	Tureia.

Marquesas Islands

Communes of:

Fatu-Hiva	Tahuata
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Hiva-Oa
Nuku-Hiva

Ua-Huka
Ua-Pou.

Austral Islands

Communes of:

Raivavae
Rapa
Rimatara

Rurutu
Tubuai.

Society Islands

Communes of:

Arue
Faaa
Hitiaa O Te Ra
Mahina
Moorea-Maiao
Paea
Papara
Papeete
Pirae
Punaauia

Taiarapu-Est
Taiarapu-Ouest
Teva I Uta
Bora Bora
Huahine
Maupiti
Tahaa
Taputapuatea
Tumaraa
Uturoa.

Gambier islands

Commune of Gambier

Moorea

Island of Moorea

Bora Bora

Commune of Bora Bora.