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Global Alliance Supporting Consumer Rights and Opposing Restrictions On Generic Food Names Made Major Inroads in 2015

Washington, D.C., January 11, 2016 — The Consortium for Common Food Names, an international alliance of companies and organizations dedicated to preserving rights to use common food names, enters 2016 having made major inroads last year.

In an important step forward, the 12-nation Trans-Pacific Partnership agreement concluded in October broke new ground by establishing more workable rules for how Geographical Indications are handled. Until now, the primary model for handling GI registrations has been a European Union template that has been the primary driver of creeping restrictions on using common food names. The TPP text aims to foster more transparency and fairer play in how countries consider GI registrations. CCFN looks forward to building further upon this strong model in 2016.

In the lead up to the TPP agreement, CCFN and its members earlier in the year secured references to the threat posed by GIs that block the use of common food names in two reports from the White House's Office of the U.S. Trade Representative. Using geographical indications to restrict trade is a trend that has proliferated in recent years as European interests have sought to restrict competition from the United States and other non-European countries. The USTR reports noted that geographical indications can act as a trade barrier and agreed with the consortium that more objective criteria are needed for determining if a food name is eligible for restriction.

In addition, a series of trade hearings in January gave the consortium an opportunity to lay out CCFN's concerns to members of the U.S. Congress. Committee chairmen in both the House and Senate expressed concerns about how abuse of GIs can create trade concerns. As a follow up, Congress in June passed legislation that included strong language directing U.S. trade negotiators to prioritize efforts to curtail improper use of GIs.

“The protection of these food names is an issue of enormous importance for producers and consumers of cheeses, meats, beverages and other foods worldwide,” said Jaime Castaneda, the consortium’s executive director. “While the threat continues to grow, in 2015 we succeeded in elevating the issue and in opposing restrictions on the use of many common names across four continents.”

Internationally, the consortium assisted in filing dozens of trademark applications designed to document the widespread use of generic food names and educated local food industry representatives and government officials in numerous countries on the importance of protecting common food names.

In addition, the consortium worked with the U.S. government to provide information to China regarding the importance of subjecting GIs to robust intellectual property due process procedures. That resulted in China’s affirmation that it would apply such procedures to all GI applications, even those submitted via international agreement.

For much of the year, the consortium led opposition to changes in an international treaty known as the Lisbon Agreement designed to speed up GI approvals. The consortium encouraged the creation of a coalition of 14 countries that advocated for greater transparency and a more equitable process for setting international norms on how countries handle GIs. In a related move, the consortium-supported coalition also gained two major concessions from the World Intellectual Property Organization, the United Nations agency that implements the Lisbon Agreement. WIPO agreed to take a more balanced look at the ways countries are dealing with GI protections and also committed to a more inclusive process in its own decision-making moving forward.

Also in 2015, the consortium:

- Helped ensure Japan’s procedures for opposing restrictions on using common food names were sufficiently developed.
- Helped spotlight needed improvements in regulations in the Philippines that would retain vital due-process procedures regarding GI applications.
- Participated in multiple international conferences and meetings on geographical indications, including the World General Assembly on GIs in Milan, Italy, and WIPO’s Worldwide Symposium on Geographical Indications in Budapest.
- Actively participated in negotiating session briefing opportunities with U.S. and European negotiators on the Trans-Atlantic Trade and Investment Partnership to drive home the consortium’s concerns over Europe’s approach to GI protections.

Underscoring the consortium’s work, 2015 also saw products bearing common names from across the globe win quality awards. For example, winners of the [2015 World Cheese Awards](#) held in the

United Kingdom (UK) included cheddars and goudas from Australia, Canada and the UK and asiagos, fetas, gorgonzolas and many other cheeses from the United States. Also, the [International Taste and Quality Institute](#) Superior Taste Awards went to producers of Italian-heritage foods like pasta and olive oil in Singapore, Oman and Iran.

“This demonstrates the international ownership of these and other generic food terms,” said Castaneda, adding that ongoing trade negotiations plus evolving GI policies in many regions mean that the battle for control of generic terms will continue in 2016.

“With the EU trade negotiations intensifying with the United States, China, Japan and elsewhere around the world, it has never been more important time to establish consistent and equitable policies for GIs and common food names that protect regional specialties while respecting the use of generic terms,” Castaneda said.

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The Consortium for Common Food Names (CCFN) is an independent, international non-profit alliance whose goal is to work with leaders in agriculture, trade and intellectual property rights to foster the adoption of high standards and model geographical indication guidelines throughout the world. Those interested in joining can find information at www.CommonFoodNames.com.